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STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
COMMUNITY CORRECTIONS DIVISION

PROBATION AND PAROLE
BUREAU

ALTERNATIVES TO INCARCERATION

January 2005

**Governor Brian Schweitzer
State of Montana**

**Director Bill Slaughter
Dept of Corrections**

**Mike Ferriter, Administrator
Community Corrections Division**

HISTORY

In 1955, the Adult Probation & Parole Bureau was established by the Montana Legislature.

As stated in Statutes *46-23-1001 through 46-23-1106, MCA*, the Department of Corrections was given the authority to:

- ❖ appoint probation and parole officers and other employees necessary to administer this part;
- ❖ authorize probation and parole officers to carry firearms, including concealed firearms, when necessary. The department shall adopt rules establishing firearms training requirements and procedures for authorizing the carrying of firearms;
- ❖ adopt rules for the conduct of persons placed on parole or probation, except that the department may not make any rule conflicting with conditions of parole imposed by the board or conditions of probation imposed by a court.

In 1995, due to the executive reorganization of Department of Family Services (DFS), and Department of Corrections and Human Services (DCHS), Juvenile Aftercare (Parole), was placed within the new Department of Corrections.

In October 2001, the department created the Juvenile Services Division and Juvenile Parole was placed within that Division. This move leaves the Probation & Parole Bureau responsible for adult offenders only.

PROBATION & PAROLE BUREAU

ALTERNATIVES TO INCARCERATION

The Probation & Parole Bureau is a community-based program, operated by the, Department of Corrections, State of Montana.

Probation is the most prevalent and cost-effective alternative to incarceration used by the courts.

The Probation & Parole Bureau is responsible for the supervision of adult probationers and parolees and offenders on Conditional Release in Montana.

Nearly 75% of all offenders in the Correctional system are supervised in the community.

The Probation and Parole Bureau staffing consists of:

- ❖ Bureau Chief
- ❖ Administrative Support-in Helena Office (1)
- ❖ ACIS Legal Entry Unit/Brady Gun Bill Check (2)
- ❖ Regional Administrators (6 RA's)
- ❖ Probation & Parole Officer II (14 POII's)
- ❖ Adult Probation & Parole Officers (89 PO's)
- ❖ Sex Offender Officers/Victim Services Advocate (5)
- ❖ Intensive Supervision Program Officers (15 ISP Officers)
- ❖ Institutional Probation & Parole Officers (10 IPPO's)
- ❖ Probation & Parole Officer Technicians (8 PO Tech's)
- ❖ Administrative Support (19)

The bureau's "alternatives to incarceration" programs are as follows:

- ❖ Intensive Supervision Program which includes Electronic Monitoring
- ❖ Sex Offender Officers/Victims Specialists-Specialized officers supervising sex offenders and violent offenders with a focus on victim services
- ❖ Jail Sanctions Program and/or the Probation Violator Prison Diversion Program
- ❖ Case Management & Supervision Standards for all offenders
- ❖ Probation Officer Technicians assisting officers in most rural areas
- ❖ Drug and Alcohol Testing
- ❖ Intensive Treatment Services (ITS) (Only Billings and Missoula)
- ❖ ISP Sanction: Just Initiated November 2004 – Combination of Intensive Supervision and CD Treatment with each ISP Team

PROBATION & PAROLE STAFFING

RESPONSIBILITY & DUTIES

REGIONAL ADMINISTRATORS (RA) (6)

RAs are responsible for all budgets and personnel issues in their perspective region. They also are the Hearing Officers for Adult On-Site (Parole Revocation) Hearings. The RA assesses and classifies all DOC commitments, felony offenders committed to the DOC for appropriate placement in the correctional system. RA's supervise the POIIs.

PROBATION & PAROLE OFFICERS II (POIIs) (14)

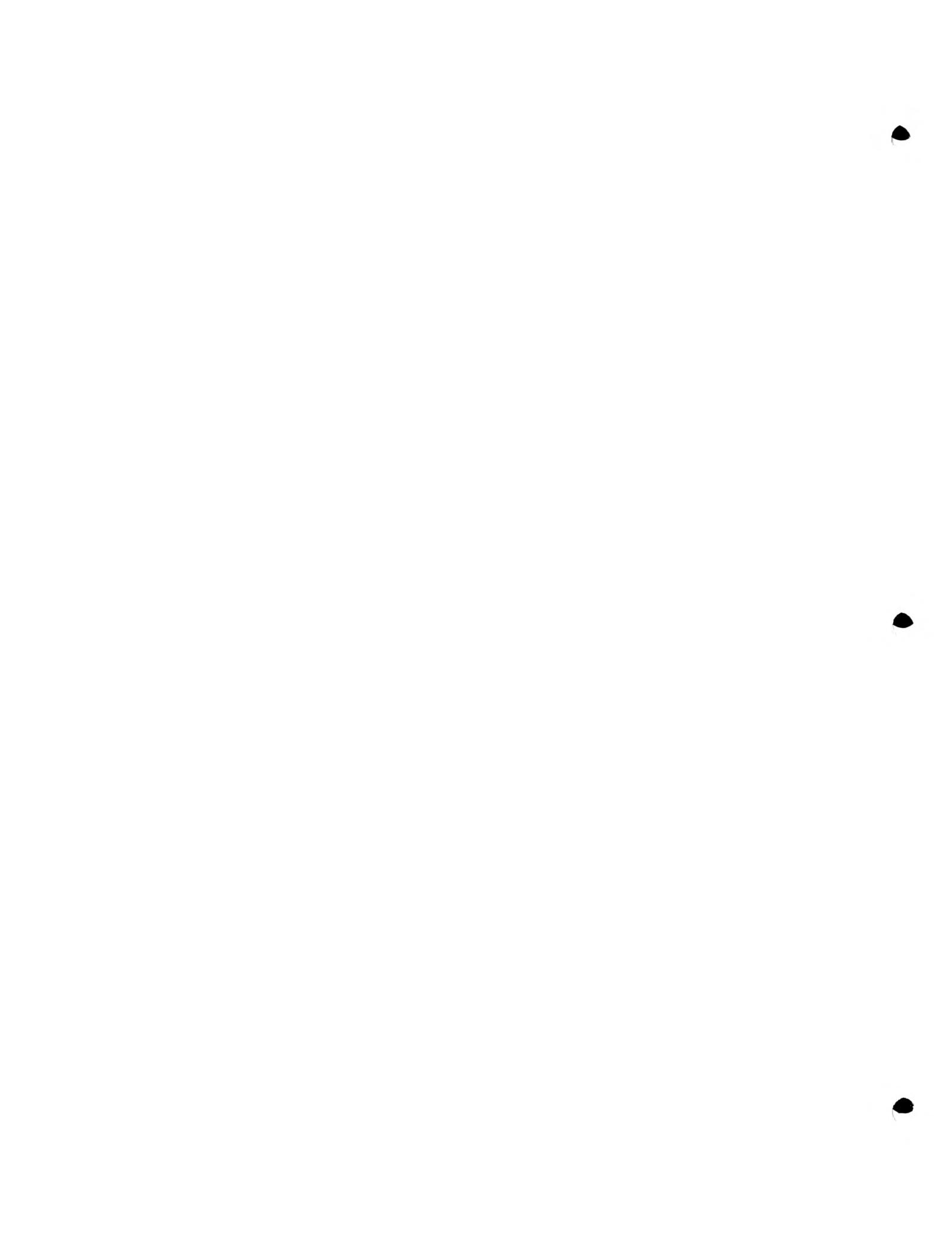
POIIs are the first line supervisors who assist the Regional Administrator. The POII does the work of the RA in the R A's absence. POIIs provide supervision for the Probation & Parole Officers and administrative support.

In those communities that have Pre-Release centers, the POIIs are also the liaisons to the Pre-Release Centers (PRC) in their community for the Department of Corrections. In this capacity, they participate on the PRC board and are members of the screening committee, screening all offenders applying for acceptance into a PRC. POII's are the Hearings Officer for inmates in the PRC or ISP, who are served with severe and major violations. They also serve as Hearings Officers for On-Site or Preliminary Hearings on parole violators, due process hearings on Conditional Releases, PreRelease Centers and ISP offenders.

POII's supervise the Intensive Supervision Programs in their area. The POII at Montana State Prison provides supervision and direction to the Institutional Probation & Parole Officers (IPPO) at the Montana State Prison and Treasure State Correctional Training Center (Boot Camp). This POII is also responsible for the basic operation and training of all IPPOs at the three Regional Prisons located in Missoula, Great Falls and Glendive, Crossroads (CCA), a private prison in Shelby, the WATCH program and the Montana Women's Prison in Billings.

ADMINISTRATIVE SUPPORT (19)

The workload of the Administrative Support staff is heavy and varied. They support Probation & Parole staff and their subsequent services. Their work is complex due to the legal ramifications and the felony offenders they interact with daily. In urban offices, two administrative staff provides administrative support for 18-25 officers. Administrative Support staff is responsible for the collection of offender data that is entered into the ACIS/PRO-Files management information system for the Department of Corrections.



PROBATION OFFICER TECHNICIAN (PO Tech-8)

PO Technicians were recently developed in order to provide enhanced assistance to the Probation & Parole Officers in the more rural areas where there is only one or two officers in a large geographical area.

PO Technicians are required to successfully complete the MLEA Probation & Parole Basic training course. They assist the Probation & Parole Officer in duties such as offender urinalysis testing; gathering information for Pre-Sentence Investigations and Report of Violation; home contacts with the offender; employer contacts and other collateral contacts with law enforcement. PO Technicians also provide the officer with administrative services, including the data entry into ACIS.

ADULT PROBATION & PAROLE OFFICERS (89)

Probation & Parole Officers provide numerous services to their communities and the state. They have several bosses and wear many hats. To be effective, they balance the often-conflicting duties of being a counselor and a cop.

Even though they are Department of Corrections employees, they are responsible to the District Court Judges in the twenty-three Judicial Districts in the State of Montana. The District Court Judges order Probation & Parole to investigate and prepare Pre-Sentence Investigation (PSI) reports on felony offenders. The PSI report assists the District Court Judge in sentencing felony offenders to the most appropriate placement available.

Probation & Parole Officers also provide many functions for the Board of Pardons & Parole. The BOPP is a quasi-judicial board, appointed by the Governor, whose executive function is only attached to the department.

Officer's daily work involves daily contact with felony offenders, judges, law enforcement, victims, attorneys, and treatment providers. Officer's main responsibility is the effective monitoring, supervision, and counseling of offenders sentenced to serve probation by the court and parole offenders released from incarceration by the BOPP. In addition, officers supervise the offenders placed on conditional release.

An average day for an officer includes visiting the homes, workplace, or treatment provider of the offender assigned to their caseload. It may include a search of the offender's home and often times, seizure of contraband. Officers have the authority to arrest offenders and carry firearms.

Officers collect urine specimens from offenders to test for alcohol and illegal drug use. Officers also monitor restitution payments to the victim, fines to the court and collect supervision fees from the offender.

The officer's ultimate goal is controlling the offenders' behavior through sanctions and

programming, while providing community safety.

INTENSIVE SUPERVISION PROGRAM OFFICERS (ISP-15)

The Intensive Supervision Program, developed in 1987, was a pilot project in Billings and was financially supported by a grant from the Board of Crime Control. The offenders served by this program are inmates, high-risk parolees or higher risk/need diversion (probationary) offenders.

ISP monitors and supervises the offender at an intensive level, while the offender works and supports themselves and their family in a community. Offenders are mandated to work, pay restitution, volunteer for community service, attend programming and treatment, while under the close watch of the ISP Officer.

The Intensive Supervision Program, which includes electronic monitoring, is designed to provide a cost-effective alternative to incarceration for adult felony offenders. ISP provides supervision for higher risk offenders. If not for the Intensive Supervision Program, many of these offenders would have been sentenced to prison or returned to prison as probation or parole violators.

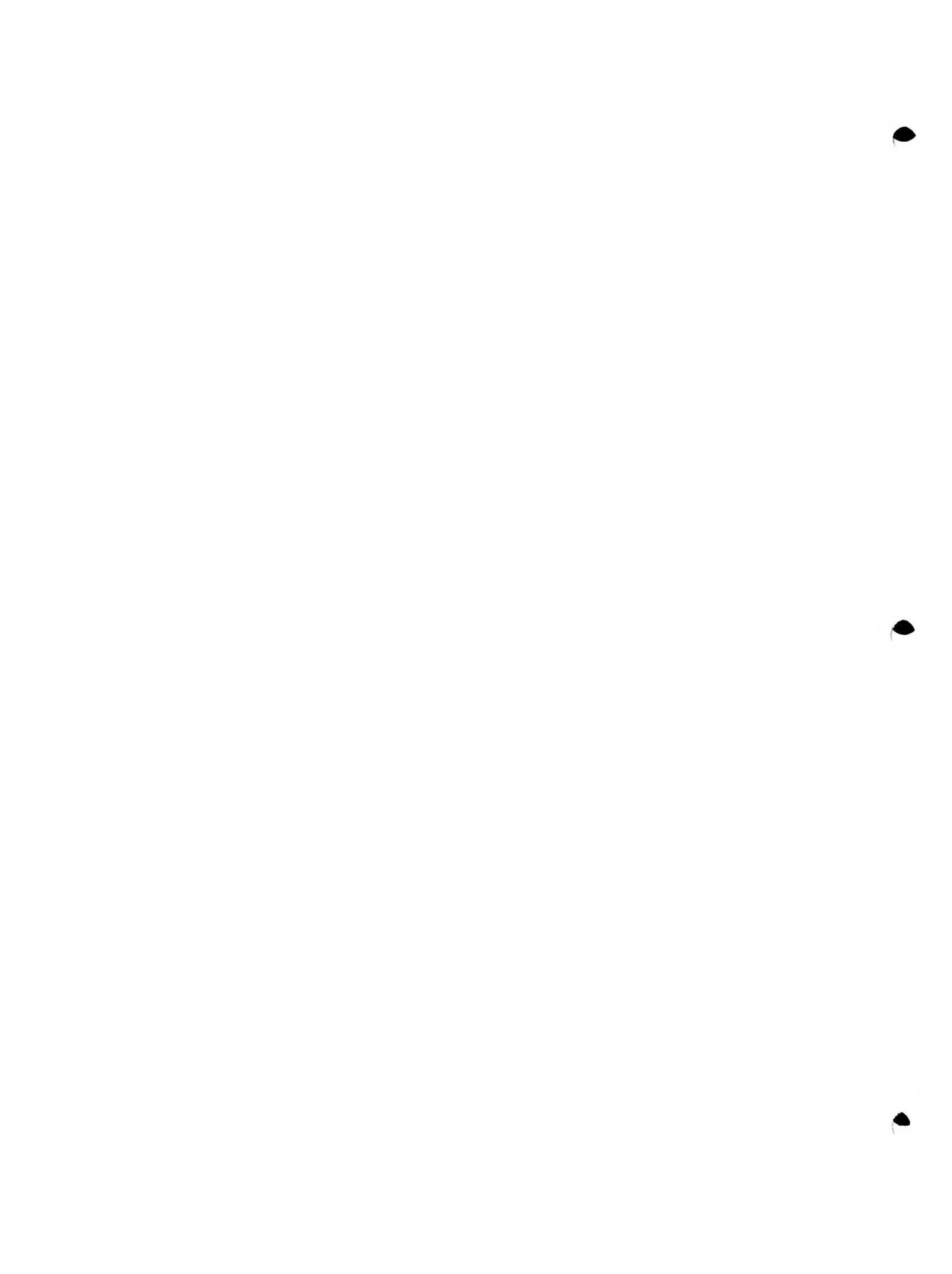
During Phase I (the first two months) of Intensive Supervision, the offender is monitored electronically with an ankle bracelet. For those with a history of alcohol abuse, the officer uses the intoxilizer unit. Offenders on the Intensive Supervision Program may be sentenced to probation as a diversion, released on parole (either released from incarceration or in lieu of return to the prison) or on inmate status. Most, if not all, of these offenders would be incarcerated if this program did not exist.

One goal of restorative justice is at hand when the offender pays victim restitution, self-reliance, and completes community service hours.

Another goal of the Intensive Supervision Program is to provide intense supervision to an offender on a daily basis while requiring that offender to work and be responsible for his daily life needs. The main goal of this program is to provide the department with a cost-effective alternative to incarcerating offenders in prison, providing the punishment, public safety, and treatment objectives of the Department.

ISP teams are located in the following communities:

- ❖ Billings (4)
- ❖ Great Falls (3)
- ❖ Missoula (4)
- ❖ Bozeman (2)
- ❖ Butte (2)



A team of two officers supervises a maximum of 50 offenders for a 1:25 ratio (Potentially 15 on Traditional ISP and 10 on the Sanction Component). Prior to accepting an offender for the Intensive Supervision Program, the Intensive Supervision Team requires each applicant be screened and accepted by a local Screening Committee, which consists of community and law enforcement persons.

INSTITUTIONAL PROBATION & PAROLE OFFICERS (IPPO-10)

Another unique position within the Bureau is the Institutional Probation & Parole Officer. Their purpose is to facilitate the placement of an inmate back into the community via Intensive Supervision, Pre-Release, Conditional Release, Parole or Probation. They provide the coordination necessary for the Board of Pardons and Paroles, prisons, the Probation & Parole Officers, and Pre-Release Centers to expedite the transition of inmates from the institution to the community.

Institutional Probation & Parole Officers (IPPOs) provide a myriad of other services to the facilities to which they are attached and the offenders in those facilities.

IPPOs are located at the following locations:

- ❖ 3 Montana State Prison (Deer Lodge)
- ❖ 1 Treasure State Correctional Treatment Center (Boot Camp at Deer Lodge)
- ❖ 3 (1 at each of the Regional Prisons - Great Falls, Missoula, Glendive)
- ❖ 1 Montana Women's Prison (Billings)
- ❖ 1 WATCH DUI Treatment program (Warm Springs)
- ❖ 1 Crossroads Correctional Center – Private Prison (Shelby)

These officers have the role of liaison between the correctional facilities, the Board of Pardons and Parole and Probation & Parole field staff. All offenders discharging or paroling from the prisons must be signed out and given a travel permit by the IPPO from the facility. IPPO's assist in screening offenders for Pre-release centers & ISP programs.

The IPPO's also ensure the appropriate offenders have registered as Sexual/Violent offenders and the DNA testing has been accomplished.

IPPO's help the offender develop a viable parole or release plan back in the community. Many offenders who are difficult to parole, specifically those with medical or mental health issues, require the expertise of these officers to assist them in the planning and release from the facility.

SEX OFFENDER OFFICERS/VICTIM SERVICES ADVOCATE (5)

All Probation & Parole Officers attend training specific to the most effective techniques in supervising sex offenders. This training includes information about the Montana Sex

Offender Treatment Association and the specialized treatment this organization provides for sex offenders, the various types of sex offenders, the offender's cycle of abuse, red flags to relapse and relapse prevention.

Sex offenders are less likely to reoffend when they are actively participating in sex offender treatment and are being closely monitored by specialized officers. The National Center for the Effective Management of Sex Offenders recommends ratio of no greater than 1:40 when supervising high-risk sexual/violent offenders. In Montana our workloads exceed these standards in most locations.

Montana has developed sex offender officer positions in those Montana communities that have the highest concentrations of sex offenders. Each ISP team has one member of the team who has additional and specialized sex offender training to supervise sex offenders.

These sex offender officers are located:

- ❖ Missoula
- ❖ Helena
- ❖ Great Falls
- ❖ Billings
- ❖ Kalispell

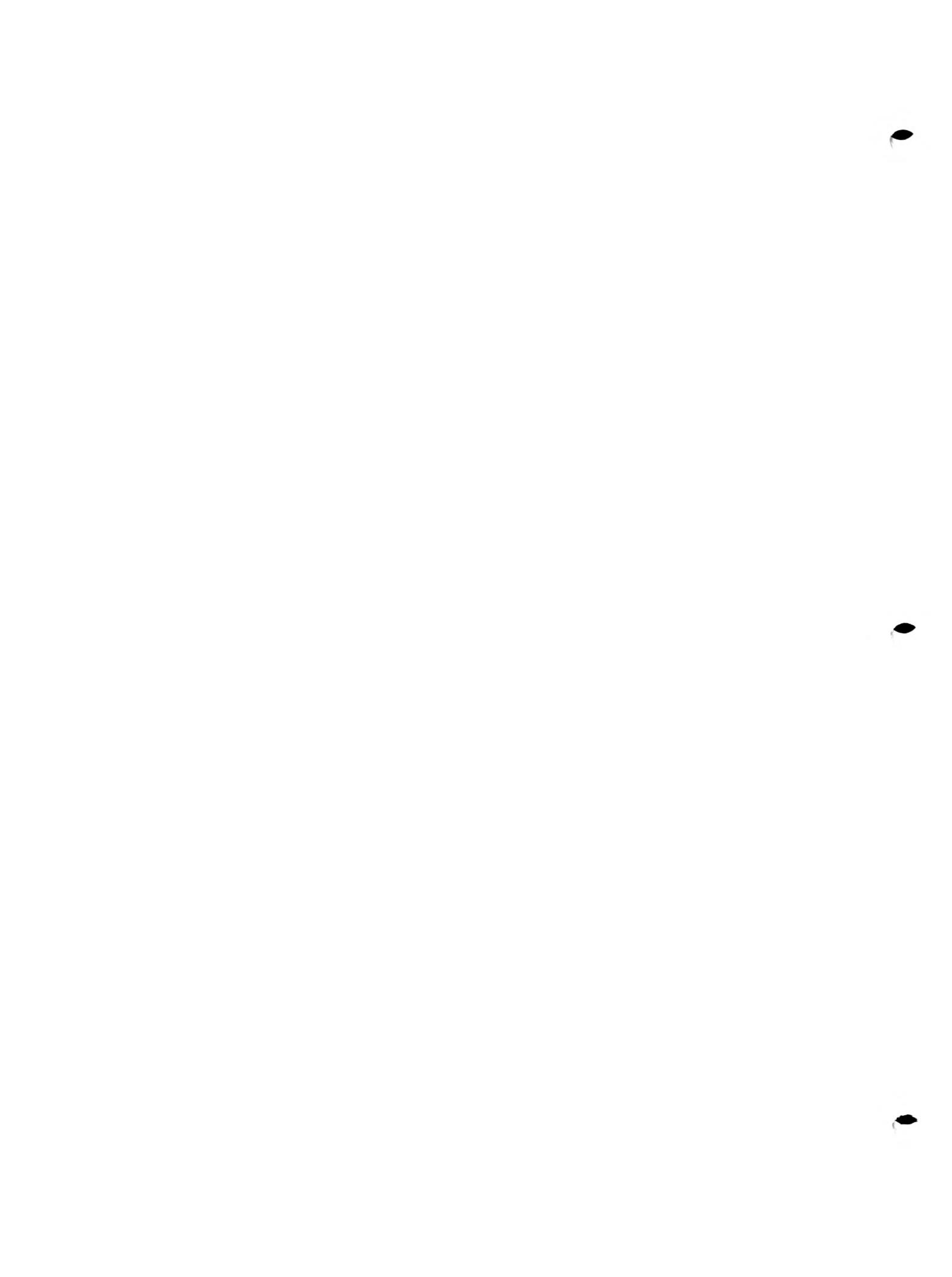
These officers have attended several hours of additional training and have had training at the Sex Offender program at the prison. Their expertise is key in understanding the laws that are specific to sexual/violent offenders, such as registration, community notification and DNA testing.

In these communities, the sex offender specialists network closely with the community, law enforcement, treatment providers and crime victims. These officers offer themselves as a resource for both law enforcement and crime victims. In addition to writing the Pre-Sentence Investigations on sex offenders, these officers understand the special needs of the victim and the resources available through the Crime Victims Units to assist them.

These officers involve themselves in the offenders' sex offender treatment by attending group sessions. By attending group sessions, it is made clear to the offender that the PO is closely monitoring them and there is no confidentiality. This close involvement makes it more difficult for the offender to manipulate the Probation & Parole Officer.

Due to the fact that there is not any confidentiality between the therapist and the officer, supervision violations and red flags indicating relapse can be monitored more easily. The officer and the therapist maintain an extremely close working relationship and rely on one another to provide effective management of sex offenders in the community.

These officers work closely with the Department of Justice, who maintains the registration file on Sexual/Violent Offenders.



PRE-SENTENCE INVESTIGATION REPORT (PSI)

The pre-sentence investigation report is one of the most significant documents generated on the offender within the Department of Corrections. The purpose of the PSI report is to assist the Judge in sentencing felony offenders to the most appropriate sentence.

The Probation & Parole Bureau is responsible for writing PSI's for District Court Judges serving Montana's twenty-three Judicial Districts. Prior to sentencing felony offenders, the District Court Judge orders the Probation & Parole Bureau to complete a Pre-Sentence Investigation (PSI), per MCA 46-18-111. The Probation Officer then interviews the defendant and prepares the PSI as specified in MCA 46-18-112. Without a PSI, the court has little or no background information about the defendant. The pre-sentence investigation, as part of the court record, is confidential and not open for public inspection.

Contents of PSI report per statute:

- ❖ the defendant's characteristics, circumstances, needs and potentialities;
- ❖ the circumstances of the offense (official version, defendant's version and victims version);
- ❖ the defendant's criminal history;
- ❖ the defendant's social history, mental and substance abuse history;
- ❖ the harm caused, as a result of the offense, to the victim, the victim's immediate family and the community and any pecuniary loss through a victim's statement;
- ❖ summary and recommendation of sentencing alternatives to the court.

The Probation Officer assigned to conduct the investigation consults with the county attorney and the defense attorney; conducts interviews with the defendant, the victim(s) of the offense, and other pertinent individuals.

The officer verifies criminal records, psychological, and treatment reports, juvenile records (when pertinent), employment history, family/social background, educational history, and completes a report that reads much like a biography of the defendant.

Prior to sentencing, this report is reviewed by the court and both the prosecuting and defense attorney. At the time of the sentencing hearing, the Probation Officer may be called to testify as to the contents of the report and the sentencing recommendation, which includes conditions for supervision or placement. The PSI writer evaluates the options and considers the sentence that would give the offender the best opportunity for change while giving consideration to the victim(s) and providing for public safety. This is a delicate balance at best.

The PSI is used to assess the level of risk and/or dangerousness of the offender and determine the most appropriate, least restrictive placement for each offender who enters the corrections system.

The Pre-Sentence Investigation report becomes part of the offender's permanent file and follows the offender throughout the Corrections system. The PSI is utilized by all facets of the Corrections system as a screening tool for placement. The Board of Pardons and Parole also uses the PSI at the time they review the offender for release on parole.

PRE-SENTENCE INVESTIGATIONS

FISCAL YEAR 2004

MONTH	YEAR	PSI'S WRITTEN
July	2003	182
August	2003	184
September	2003	228
October	2003	188
November	2003	161
December	2003	223
January	2004	224
February	2004	221
March	2004	253
April	2004	240
May	2004	197
June	2004	218
TOTAL		2,519

(Each PSI report averages eight (8) hours of work)

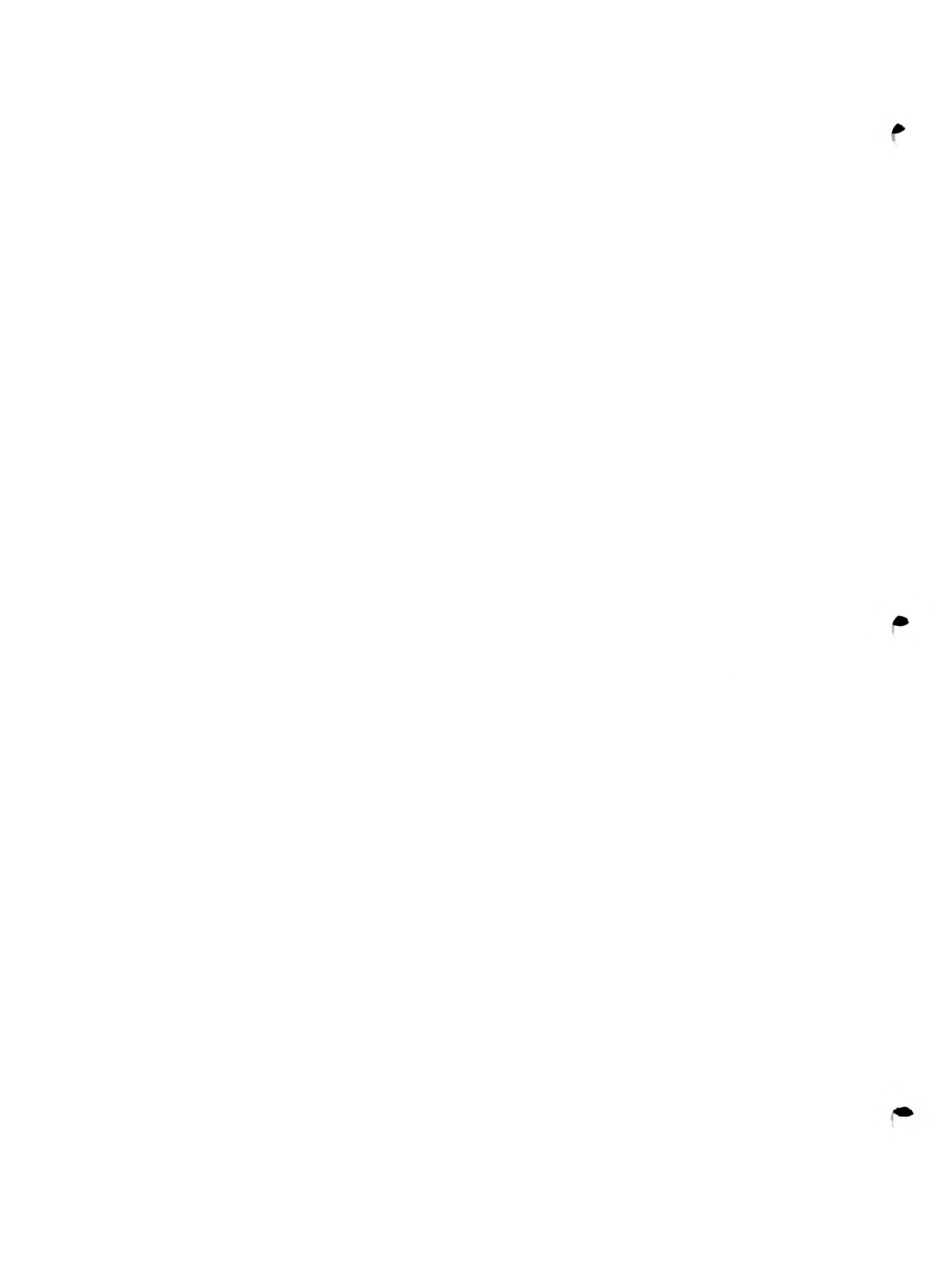
For those offenders sentenced without a PSI, the Supervision Standards and Compliance Monitoring policy requires the officer to do a Post Sentence Investigation. The Post Sentence Investigation will provide the officer with basic information and background to provide the most appropriate level of supervision and direction for case management.

It was estimated that judges order PSIs on approximately 70% of all felony offenders awaiting sentencing. That means that an estimated 30% of felony offenders are sentenced without a thorough background investigation. Without a PSI, judges make their sentencing decision on the information provided by the prosecuting and the defense attorney, using the plea agreement.

The PSI has great value to the Judge at time of sentencing.

CONDITIONS ON PROBATION OR PAROLE

(Conditions on Probation or Parole are specified in the Administrative Rules Manual (ARM) Corrections 20.7.1101.)



When the Court orders an offender to be placed on probation, in lieu of incarceration, the Probation Officer supervises the offender according to the standard conditions of Probation & Parole and the special court ordered conditions. There are eight standard conditions all offenders must follow:

- ❖ Residence: not change your place of residence without first obtaining permission from your Probation/Parole Officer.
- ❖ Travel: not leave your assigned district without first obtaining written permission from your Probation/Parole Officer.
- ❖ Employment and/or Program: maintain employment or a program approved by your Probation Officer.
- ❖ Reports: personally report to your P.O. as directed.
- ❖ Weapons: not own, possess or be in control of any firearms or deadly weapons as defined by state or federal law.
- ❖ Financial: obtain permission from your P.O. before financing a vehicle, purchasing property or engaging in business.
- ❖ Search: submit to a search of your person, vehicle, or residence by the P.O. at any time, with or without a warrant.
- ❖ Laws & Conduct: comply with all city, county, state and federal laws and ordinances and conduct yourself as a good citizen. Report any arrests or contact with law enforcement to your P.O.

The ninth and subsequent conditions are the special conditions that may be placed on offenders during their probationary period by the Judge or on their parole by the Board of Pardons and Parole.

Special conditions may include:

- ❖ No alcohol use & restriction from bars
- ❖ Submit to alcohol & drug testing (urinalysis)
- ❖ Pay fines to the court and supervision fees
- ❖ Pay restitution to the victim
- ❖ Attend specific counseling and/or treatment
- ❖ Complete community service hours

Risk & Needs Assessment Supervision Levels

- Level 1
 - -.05% Change
 - 3.5% of Workload
- Level 2
 - 6% Change
 - 35% of Workload
- Level 3
 - 1% Change
 - 30% of Workload
- Level 4
 - -3% Change
 - 21% of Workload
- Level 5
 - -3% Change
 - 8% of Workload
- Level 6
 - -.05% Change
 - 2.5% of Workload

Information taken from Fiscal Years 2002 and 2004.

Risk & Needs Assessment.

- Probation and Parole is supervising a greater percentage at a more intense level.
- The majority of offenders are supervised at supervision Level 2 and Level 3.
- A seven percent increase in Levels 2 and 3 reflects the increasing risk and needs of Montana Offenders

Probation & Parole Bureau Fiscal Year End 2004

- **Region 1 – Missoula**
 - Total PO's – 14
 - Work Load – 16.650
 - PO's Needed – 2.650
- **Region 2 – Helena**
 - Total PO's – 24
 - Work Load – 25.114
 - PO's Needed – 1.114
- **Region 3 – Great Falls**
 - Total PO's – 17
 - Work Load – 19.359
 - PO's Needed – 2.359
- **Region 4 – Billings**
 - Total PO's – 17
 - Work Load – 21.225
 - PO's Needed – 4.225
- **Region 5 – Kalispell**
 - Total PO's – 16
 - Work Load – 15.860
 - PO's Needed – 0
- **Region 6 – Glendive**
 - Total PO's – 6
 - Work Load – 5.715
 - PO's Needed – 0

Probation & Parole Bureau Fiscal Year 2005 Projections

- **Region 1 – Missoula**
 - Total PO's – 14
 - Work Load – 17.233
 - PO's Needed – 3.233
- **Region 2 – Helena**
 - Total PO's – 24
 - Work Load – 25.993
 - PO's Needed - 1.993
- **Region 3 – Great Falls**
 - Total PO's – 17
 - Work Load – 20.037
 - PO's Needed – 3.037
- **Region 4 – Billings**
 - Total PO's – 17
 - Work Load – 21.968
 - PO's Needed – 4.968
- **Region 5 – Kalispell**
 - Total PO's – 16
 - Work Load – 16.415
 - PO's Needed - .415
- **Region 6 – Glendive**
 - Total PO's – 6
 - Work Load – 5.915
 - PO's Needed – 0

Probation & Parole Bureau Fiscal Year 2006 Projections

- **Region 1 – Missoula**
 - Total PO's – 14
 - Work Load – 17.836
 - PO's Needed – 3.836
- **Region 2 – Helena**
 - Total PO's – 24
 - Work Load – 26.903
 - PO's Needed – 2.903
- **Region 3 – Great Falls**
 - Total PO's – 17
 - Work Load – 20.738
 - PO's Needed – 3.738
- **Region 4 – Billings**
 - Total PO's – 17
 - Work Load – 22.737
 - PO's Needed – 5.737
- **Region 5 – Kalispell**
 - Total PO's – 16
 - Work Load – 16.990
 - PO's Needed – .990
- **Region 6 – Glendive**
 - Total PO's – 6
 - Work Load – 6.122
 - PO's Needed - .122

Probation & Parole Bureau Fiscal Year 2007 Projections

- **Region 1 – Missoula**
 - Total PO's – 14
 - Work Load – 18.460
 - PO's Needed – 4.460
- **Region 2 – Helena**
 - Total PO's – 24
 - Work Load – 27.845
 - PO's Needed – 3.854
- **Region 3 – Great Falls**
 - Total PO's – 17
 - Work Load – 21.464
 - PO's Needed – 4.464
- **Region 4 – Billings**
 - Total PO's – 17
 - Work Load – 23.533
 - PO's Needed – 6.533
- **Region 5 – Kalispell**
 - Total PO's – 16
 - Work Load – 17.585
 - PO's Needed – 1.585
- **Region 6 – Glendive**
 - Total PO's – 6
 - Work Load – 6.336
 - PO's Needed – .336

RISK & NEEDS ASSESSMENT

Offenders are classified according to their level of risk and individual needs. This classification will assist the officer in determining which level of supervision the offender will be most appropriately supervised. All levels of supervision require the following activities by the Probation & Parole Officer: contact with the offender at his/her home and with his/her family, place of employment, school, program or treatment providers. Other activities include urinalysis drug testing, searches, travel permits, record checks, collecting victim restitution, supervision fees and court fines.

The Supervision Standard and Compliance Monitoring policy requires the Probation & Parole Officer to spend more time in the community with the offenders. This policy requires the officer to actively manage each individual offender.

As of November 2004, the bureau had the following percentages of offenders under each level of supervision.

SUPERVISION LEVELS (Classification from Highest Level to Lowest Level)

Changes	Supervision Level (2004)	Percentage Of Caseload (2002)	Minimum Contacts Required
-.5	Level I	3%	3.5%
+6%	Level II	41%	Two contacts per month
+1	Level III	31%	One contact per month
-3	Level IV	18%	One contact every 3 months
-3	Level V	5%	One contact every six months
-.5	Level VI Conditional Discharge from Supervision (CDFS)	2%	Can only be granted by the court or Board of Pardons & Parole-Annual letter required from offender

Point of Interest: We are supervising a greater percentage of our offenders at a more intensive level. A seven percent increase in Levels II and III (where the majority of offenders are supervised) reflects the increasing risk and needs of our Montana offenders. Request for new staff is primarily driven by these groups.

Supervision Standards & Compliance Monitoring

The following information compares the previous standards of supervision to the present standards of supervision and case management. Due to increased workload, the bureau must either add additional officers or consider reducing caseload practices and tasks.

2000	Current
Offender reports to officer. Most contacts are made in the office.	Officer goes to offender-limited office reporting-contact are in the community (home, employment, treatment, etc).
Lower levels of supervision have contact with officer every three or six months.	Offender on lower level of supervision is randomly tested for drugs; have employment and residence verified if changed.
Case Management is limited.	Case Management is standard. Goal is to have it fully implemented by FY 2002.
Officer makes most field contact alone and in isolation.	Officers make field contact in pairs with other POs; PO Tech.; Law Enforcement.
Limited sanctions available for officers to use to gain compliance.	Jail Sanctions used to gain compliance for those offenders violating supervision. Limited smaller caseloads, graduated sanctions are imposed more quickly.
Officers hours are generally 8:00 a.m. - 5:00 p.m. Monday- Friday.	Officers utilize alternative work schedules which includes evenings and week-ends.
Victims services limited.	With smaller caseloads and specialized officers there is more time to interact with crime victims. Basic training focuses on victim's issues and services.
Home visits to offenders homes is occasional-mostly reactive.	Home visits to offenders homes, unscheduled and more frequent.
Sex offenders are supervised without special consideration for their risk. Caseloads are mixed with all types of offenders.	In larger communities, officers who are specially trained are designated to supervise sex offenders. Smaller caseloads provide ability for closer monitoring.
Pre-Sentence Investigations are ordered on most offenders. However, some offenders on supervision are not subject to background investigations.	Case Management policy dictates that the officer will do a Post Sentence Investigation. This report provides important information for officer to do effective case management.
Drug testing when offender reports to officer-offender can easily manipulate test.	Random and regular drug testing. Offenders are called in for test.
Restitution ordered-collection system inadequate.	The Department of Corrections collects and disburses restitution for all felony offenders in Montana.

- Officers provide updated reports to the courts, as to the offender's progress

and/or violations of the conditions of probation supervision.

- The Probation Officer is responsible for regular contacts with the offender in the office, in offender's home and/or workplace.
- Probation & Parole Officers perform regular collateral contacts with treatment providers, (such as alcohol & drug counselors, mental health counselors, sex offender counselors), employers, educational programs, family members, clerk of courts, city, county, state and federal law enforcement agents, victims and restitution/community service programs and other community programs such as Pre-Release Centers.
- Officers generally partner with another officer when checking on an offender, whether doing bar checks, home visits, or searches. Officers work hand-in-hand with local police and sheriffs departments and share intelligence information.
- During home visits or random house checks the Probation Officer is responsible to identify illegal contraband or other prohibited items and/or substances and subsequently search the offender, their home and/or car.
- Officers use the safest approach possible when making an arrest. Officers also do search & seizures, stop & frisk, and other techniques and investigative skills used by other law enforcement. Officers are authorized to carry firearms.
- Officers monitor the collection of restitution for the crime victim, supervision fees and all other court fines and fees. The Officer also is available to assist the victim when necessary.
- Officers test offenders for illegal drug use or use of prohibited substances. Methamphetamine use and labs are of particular concern when working with offenders.
- Officers refer the offender to counseling services, assistance in securing employment and/or entering an educational/training program. Further, the Probation Officer works with the offender to develop social skills needed for effective community interaction.
- Officers have the responsibility to investigate and write Reports of Violation, making a recommendation to the District Court Judge at the revocation hearing. The officer must know these state laws and the sentencing alternatives for the offender.
- Officers work alternative schedules from 7:00 a.m. to 10:00 p.m. and on weekends to provide services to both the community and the offenders.

PROBATION STATUS VS. PAROLE STATUS

The difference between probation and parole is the offender's legal status or the legal jurisdiction of the offender. Probationers and Parolees are supervised similarly. However, the sentencing court has jurisdiction to revoke for those offenders on Probation status. The Board of Pardons and Parole has jurisdiction to revoke those on Parole status.

CONDITIONAL RELEASE OFFENDER

The offenders committed to the DOC are eligible for conditional release. These offenders are supervised with the same standards as Probationers and Parolees. They are under the jurisdiction of the Department of Corrections. To date 794 offenders have been Conditionally Released to P&P supervision.

PAROLE VIOLATION and REVOCATIONS

The Board of Pardons & Parole grants the release of inmates to parole from prison, prior to the inmates prison sentence expiring. This release is based on the promise that the offender will abide by strict conditions of parole supervision. In the event the parolee violates the technical parole conditions and/or gets involved in illegal activity, the Parole Officer may arrest the parolee and through an administrative hearing, recommend the return of the offender to prison.

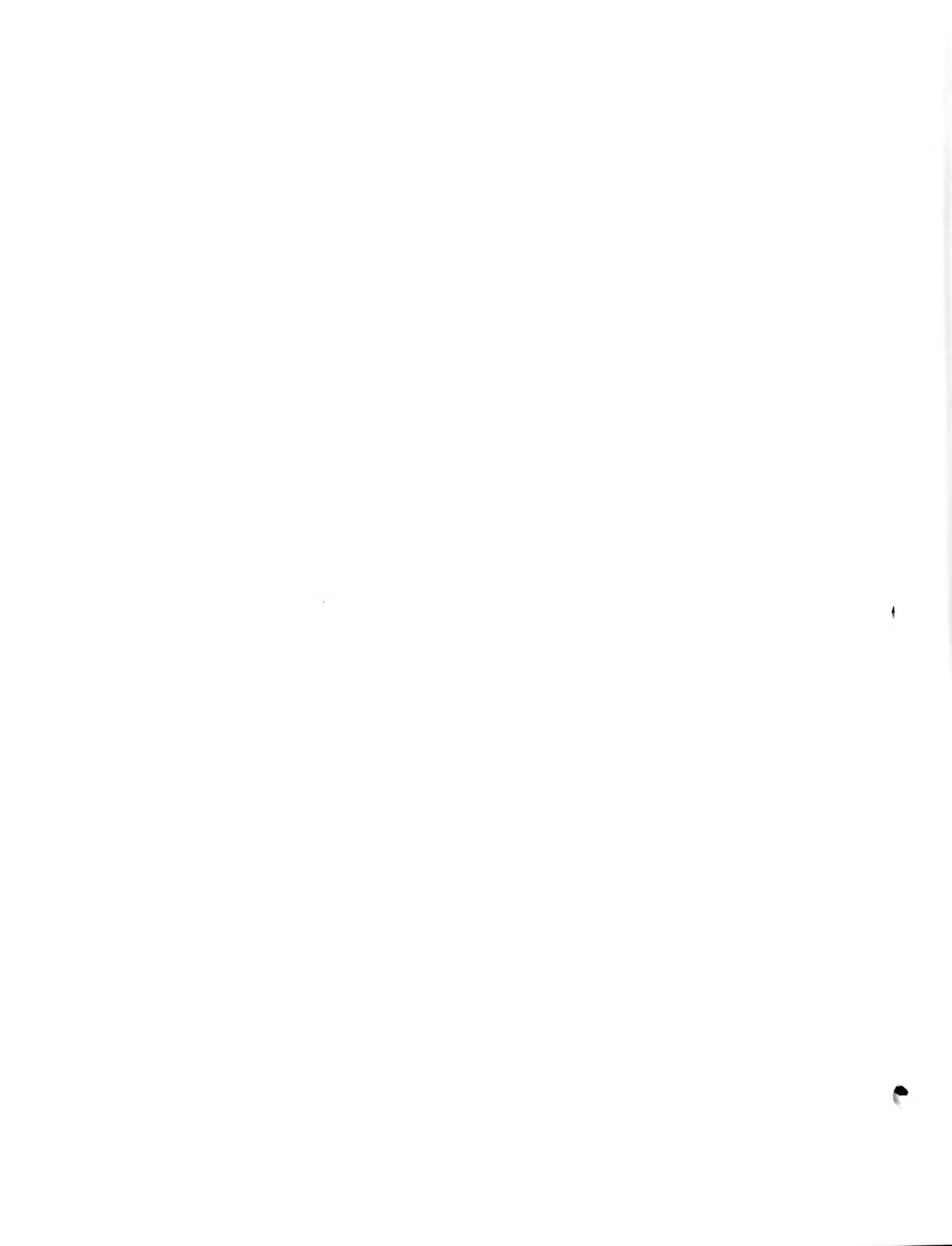
The administrative "due process" hearing does not involve a judge or generally, any attorneys. The Parole Officer performs a role similar to that of a prosecuting attorney. The on-site hearing and subsequent decision of the Administrative Hearings Officer occurs within days of the violation report.

The Parole Officer must be knowledgeable about the statutes that pertain to this hearing and the alternatives allowed via Corrections policy.

Even though a parolee is supervised much like a probationer, a parolee's freedom is much more tenuous than a probationer's. Parolees are not entitled to bond, so they usually are not released back to the streets prior to the hearing. The Board of Pardons & Parole makes the final determination as to whether the offender's parole is revoked.

RECIDIVISM

Adult Prison Recidivist – An adult offender who returns to prison in Montana for any reason within 3 years of release from prison. Each release can have only one corresponding return.

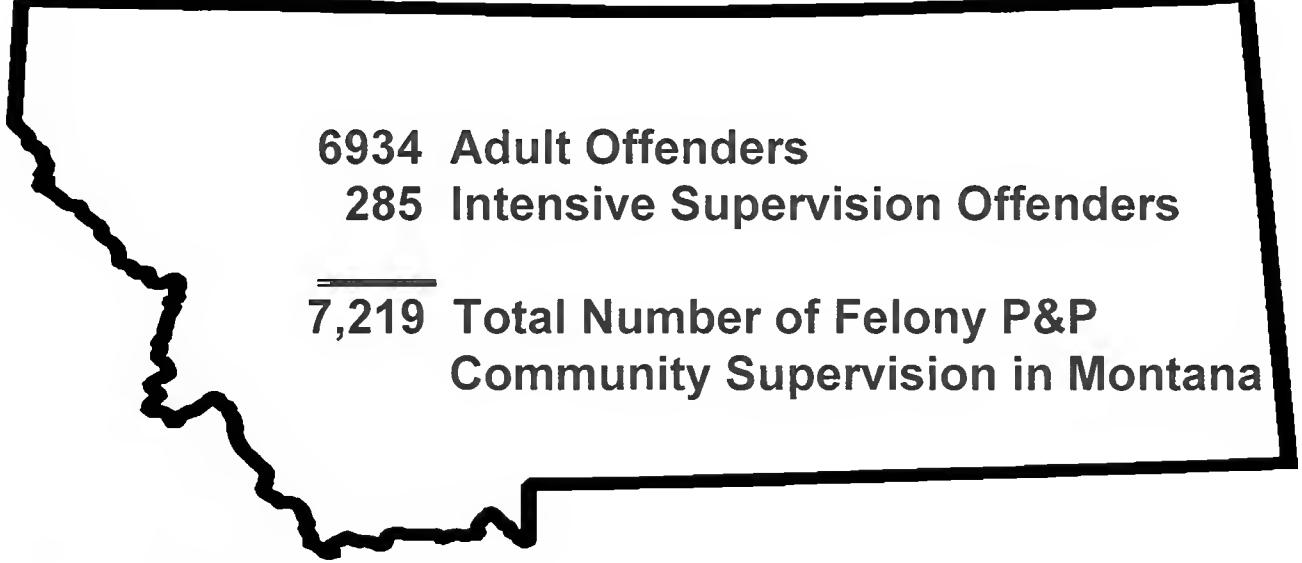


A consequence of closely monitoring offenders is an increase in revocations. It is the Bureau's policy to place offenders (in Revocation) at a custody level safest for our citizens and equal to the needs of our offenders. We firmly believe that holding offenders accountable, prior to more dangerous behaviors occurring, is a prudent practice.

The personnel demographics of the Probation & Parole Bureau are as follows:

Regional Administrators (RA)	6
Probation & Parole Officer II's (POII)	14
Intensive Supervision Officers (ISP)	15
Institutional Probation & Parole Officers (IPPO)	10
Adult Probation & Parole Officers (PO)	89
Sexual & Violent Officer/Victims Advocates	5
Probation Officer Technicians	8
Administrative Support	19
Total	166

The demographics of the adult offenders supervised: November 2004



6934 Adult Offenders
285 Intensive Supervision Offenders
**7,219 Total Number of Felony P&P
Community Supervision in Montana**

RESTITUTION PROGRAM

Probation & Parole Officers are instrumental in the collection of restitution for crime victims and the collection of miscellaneous fees and fines ordered by the court, mostly for the counties.

Restitution for Victims: From October 2003 through October 2004 DOC has collected from offenders and disbursed to victims in Montana 1.9 million.

COST OF SUPERVISION - ACTUAL ADP FY 04



Cost per day-Probation & Parole:

Plus general administration costs:

Total cost per day: \$ 3.75

Cost per day-Intensive Supervision: \$12.07

There are significant cost savings benefits to community-based corrections, such as Probation and Parole, Intensive Supervision and Conditional Release.

Even though the offender is not incarcerated, community supervision requires offender accountability. Offenders are held accountable by:

- ◆ maintaining regular employment and/or attending an educational or training program;
- ◆ providing financial and emotional support for their families;
- ◆ paying taxes;
- ◆ attending treatment;
- ◆ paying supervision fees;
- ◆ paying court costs;
- ◆ paying restitution back to the crime victim(s);
- ◆ working community service hours;
- ◆ reporting to the Probation & Parole Officer;
- ◆ abiding by the strict rules of probation or parole.

In addition to requiring these responsibilities, community supervision has the ability to hold the offender accountable by enforcing the following restrictions:

- ◆ restricted traveling or denying relocation to another community;
- ◆ going into debt;
- ◆ their place of residence within the community;
- ◆ their ability to possess or own a firearm or other deadly weapons;
- ◆ their place of employment;
- ◆ entering bars and casinos;
- ◆ must open their home to searches without a warrant;
- ◆ consuming alcohol or entering bars.

The offender is given the opportunity on community supervision to make changes in their behavior and attitude, while being financially responsible for their actions.

The Probation & Parole Officer is required to be a counselor, a police officer, and a mentor to these offenders. They are also required to provide the necessary information & support to victims. The skills required of each officer are myriad and complex.

Officers need to be armed with good communication skills, counseling skills, and persuasion skills. The P&P Officer will also need to be armed with firearms, evidence tape, police backup, cell phones, police radios, handcuffs, bullet proof vests, protective search gloves and O.C. Spray.

Probation & Parole Officers must possess good writing skills. Probation & Parole Officers must effectively communicate with judges, lawyers, treatment specialists, offenders, offender's families and all levels of law enforcement.

Officers work a variety of schedules to assure the evenings and weekends are covered and that they make themselves available to offenders, their families and law enforcement.

Probation & Parole Officers are required to stay current with the laws that apply to their duties and to the offenders. They must be familiar with the correctional system statewide, including the alternative correctional programs and intermediate sanctions available. The Probation & Parole Officer is always mindful to carefully balance the safety of the community and needs of the offender, within the fiscal restraints of the Bureau.

On any given day, over 6,600 felony offenders are being supervised in our communities through out Montana. Nearly 75% of all offenders in the Department of Corrections system are serving their time on probation, parole, conditional release, ISP or in a community corrections program.

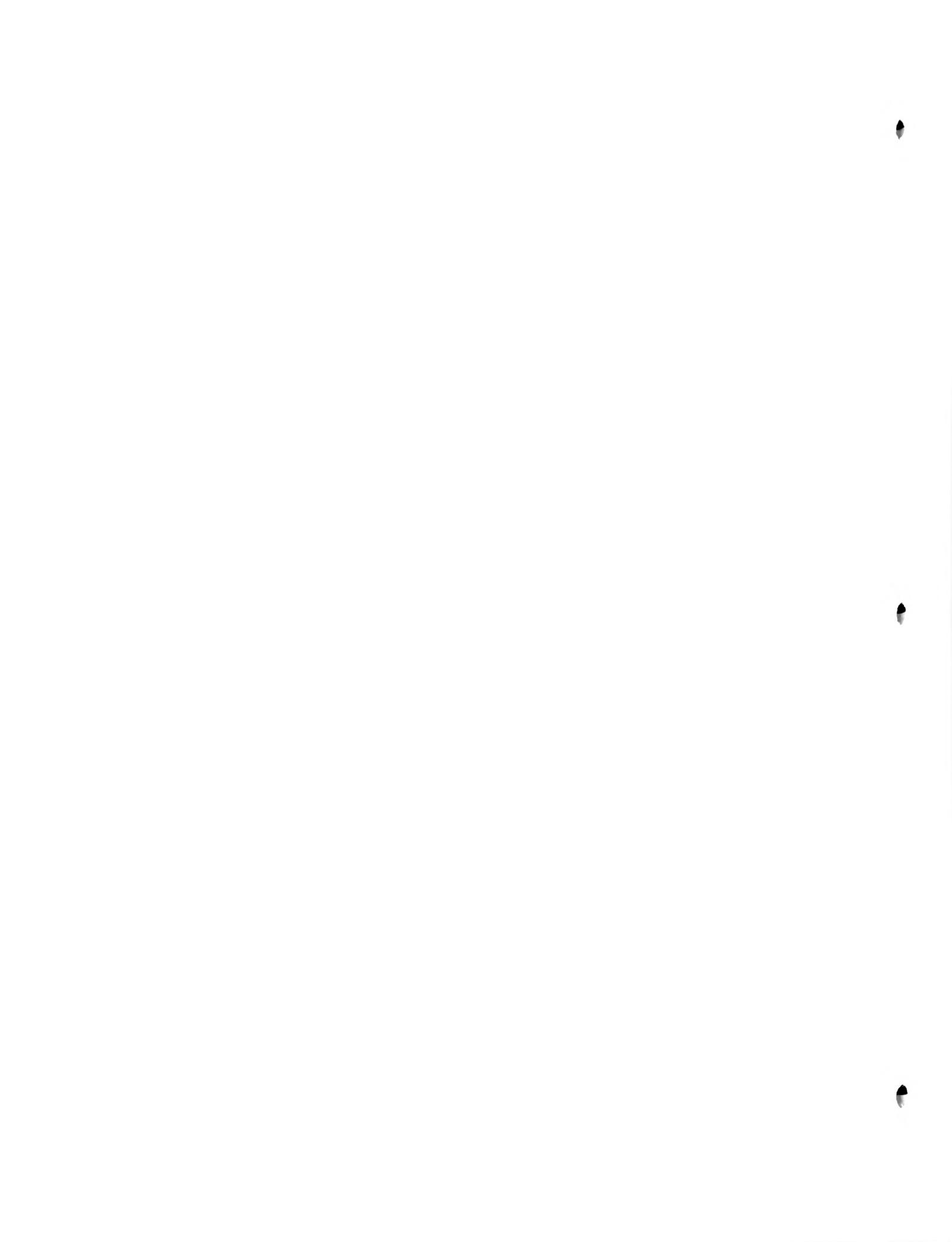
Probation and Parole supervision & programming is a cost-effective, viable alternative to incarceration.

Making a difference everyday...making Montana communities safer.

Probation & Parole Bureau Cost Per Day Comparison for 1200 Offenders

- Montana State Prison
 - 1200 Offenders at \$69.88/Day
 - \$83,856/Day
- Montana Womens Prison
 - 1200 Offenders at \$73.85/Day
 - \$88,620/Day
- Pre-Release Centers
 - 1200 Males at \$47.48/day
 - \$56,976/Day
 - 1200 Females at \$55.29/Day
 - \$66,348/Day
- Probation & Parole
 - 1200 Offenders at \$3.75/Day
 - **\$4,500/Day**

Every 1200 offenders that stay out of secure custody saves \$79,356.00/Day. *(Compared with Montana State Prison)*



PRERELEASE CENTERS

1. WHAT ARE PRERELEASE CENTERS?

Prerelease Centers are community based correctional facilities operated by non-profit Montana corporations under contract with the Department of Corrections. The facilities provide supervision, counseling, assistance in locating employment, life skills training and guidance. They function as a component of the correctional system. Centers provide services for adult male and female offenders who:

- A. Are released from Montana State Prison and Montana Women's Prison.
- B. Have been committed into the custody of the Department of Corrections.
- C. Are parole violators requiring less restriction than a traditional prison setting.

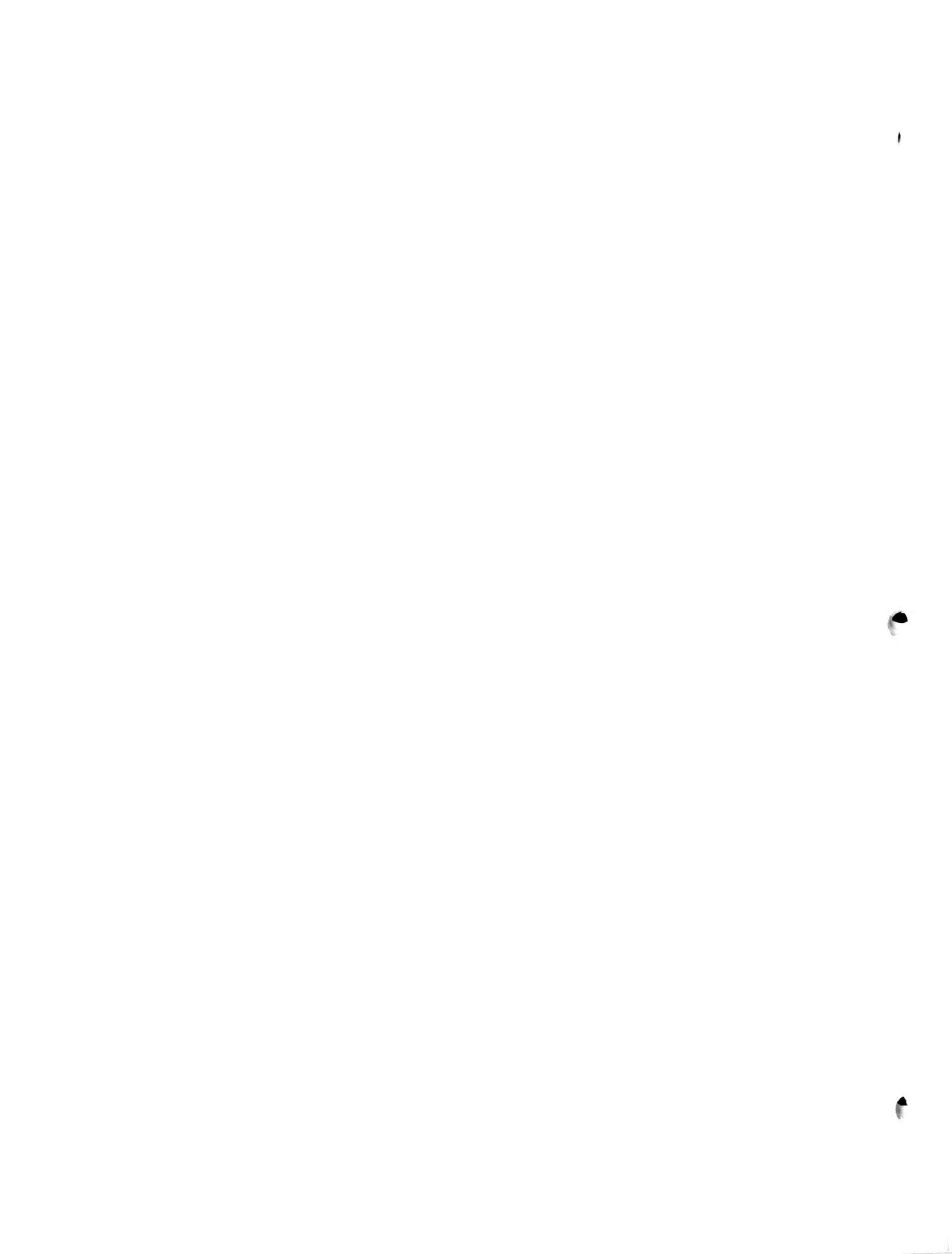
The programs offer an alternative to the direct release of the offender from prison or jail to the community and give the person an opportunity to adjust to the community in a gradual, controlled manner. Transitional steps are provided to prepare the offender for release into society.

2. WHERE ARE THE PRERELEASE CENTER PROGRAMS LOCATED AND HOW MANY OFFENDERS DOES EACH PROGRAM HAVE THE CAPACITY TO SERVE?

There are currently five Prerelease Center Programs in Montana.

<u>Center</u>	<u>Male Beds</u>	<u>Female Beds</u>	<u>Total</u>	<u>*TLP Slots</u>
Missoula	92	20	112	10
Butte	112	43	155	20
Billings	132	19	151	15
Great Falls	95	28	123	10
Helena	58		58	10
	<u>489</u>	<u>110</u>	<u>599</u>	<u>65</u>
<u>Grand Total:</u>			<u>664</u>	

* Transitional Living Program



3. HOW ARE OFFENDERS SCREENED FOR PRERELEASE CENTER PROGRAMS TO PROVIDE FOR PUBLIC SAFETY?

Offenders incarcerated at the Montana State Prison, Montana Women=s Prison, Regional Prisons and a private prison are screened by a State Screening Committee which includes a representative from the prison, a representative from the Board of Pardons and Parole, and the Community Corrections Division. Prerelease Center personnel also attend the screenings.

The process includes personal interviews with eligible offenders by the screening committee, a careful review of the offender=s criminal history and his/her conduct at the institution. The intent of the screening process is to assess if the offender=s placement in the community will jeopardize public safety, determine the appropriateness of the offender for a community setting and to assist in the determination of the offender=s chances of success in a Prerelease Center Program.

When an offender is approved by the State Screening Committee, for referral to a Prerelease Center, a referral packet is prepared, forwarded to the prerelease center, and a thorough paper review is conducted by a local screening committee. Local screening committees are community-based teams and their membership typically includes a representative from the Prerelease Center, a member of the Prerelease Center=s Board of Directors, a Probation and Parole Officer, representatives from local law enforcement and a local citizen.

Offenders committed into the custody of the Department of Corrections may be referred to a Prerelease Center Program in lieu of being incarcerated in prison. These offenders are screened by Probation and Parole personnel, via a ARisk and Needs Assessment". If the offender is appropriate for a Prerelease Center placement, the Probation & Parole Bureau prepares a referral packet, forwards the packet to the Prerelease Center and again, a thorough paper review is conducted by the local screening committee for approval or disapproval.

Offenders violating their parole may also be recommended for Prerelease rather than being returned to prison. The Board of Pardons and Parole makes this determination with input provided by the offender=s Probation and Parole Officer and the center=s local screening committee.

4. WHAT ARE THE ELIGIBILITY REQUIREMENTS FOR OFFENDERS REFERRED TO A PRERELEASE CENTER PROGRAM FROM THE MONTANA STATE PRISON AND MONTANA WOMEN=S PRISON?

1. Offenders shall be within twelve (12) months of parole eligibility or discharge.

2. Offenders making application for placement at a Prerelease Center **shall not have medical or psychological problems, which require hospitalization** or extensive and costly community-based care. If an offender placed in a Prerelease Center has medical/psychological problems requiring treatment over and above what the offender can afford to pay, the offender may be returned to the state correctional facility for treatment.
3. Offenders shall be physically and mentally **capable of work**, educational or vocational training. If unable to work, offenders must be able to financially subsidize their stay at the Prerelease Center. Offenders with disabilities shall not be discriminated against. However, they must be able to financially subsidize their stay at the Center to the same extent that any other offender would be required to do, or request a waiver of contribution from the Department.
4. Offenders in need of treatment must **consent to outpatient treatment** in the community. Offenders will be required to pay for all treatment costs, if they are financially able.
5. Offenders with detainers shall secure verification that the **detainers are resolved** to the satisfaction of the state correctional facility and the Community Corrections Division prior to referral to a Prerelease Center.
6. Offenders shall be **free of felony escape convictions** for a minimum of three years before being considered for referral and/or placement at a Prerelease Center.

Factors such as escape history, detention, increase in custody or previous conduct at a Prerelease Center may be considered in determining the appropriateness of any offender placement at a Prerelease Center.

5. WHAT SECURITY MEASURES ARE UTILIZED AT A PRERELEASE CENTER TO PROVIDE FOR OFFENDER, PERSONNEL AND PUBLIC SAFETY?

A very high percentage of offenders entering a Prerelease Center Program have been involved in drug related crimes and have a history of chemical dependency. As a result of the high percentage of chemical abuse, **the Prerelease Centers have on-site drug and alcohol screenings.**

Offenders are required to provide urine and breath samples upon request. Generally, an offender=s urine or breath sample, if determined positive for alcohol or a controlled substance, is cause for returning that individual to the prison.



Offenders are also subject to **room, vehicle and personal searches**. These searches are a means to control offender property and guard against theft, both in the facility as well as in the community. Offenders are required to develop weekly plans for all money spent in the community. This budget planning is designed to provide a safeguard against misuse of allocated funds. Twenty-four hour agendas are also planned by the offender, with assistance from his/her counselor, and monitored by Prerelease Center personnel via random "spot checks" and telephone checks.

6. WHAT ARE THE COST BENEFITS TO THE STATE?

With the state prison population continuing to expand, it is necessary to promote cost effective measures to reduce overcrowding, lower recidivism rates, and provide public safety. While no single factor within the corrections system can provide a complete solution to each of the challenges, the Prerelease Center Programs respond to these issues and are an important element of effective corrections management. The daily cost for an offender in a Prerelease Center ranges from \$41.47 to \$68.62.

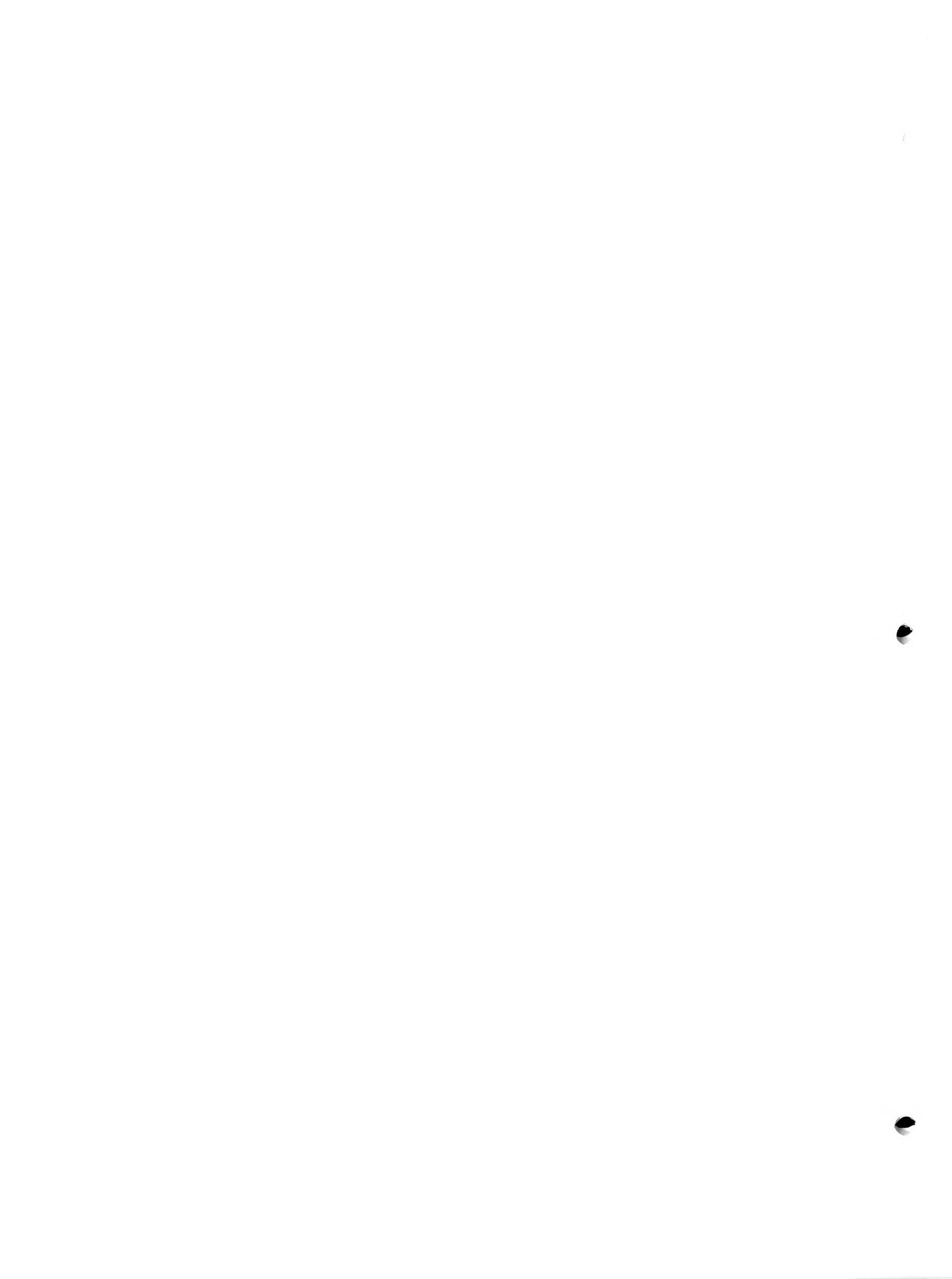
A room and board charge averaging \$11.00 per day, per offender, is assessed Prerelease offenders, so they can help share the burden of the cost of their incarceration. In FY 2004, offenders paid a total of \$2,198,032.09 towards their room and board:

Prerelease Center

Missoula	\$366,691.35
Butte	\$644,391.74
Great Falls	\$384,648.00
Billings	\$626,237.00
Helena	\$176,064.00
Totals:	\$2,198,032.09

7. HOW HAVE THE COMMUNITY CORRECTIONS DIVISION AND PRERELEASE CENTERS RESPONDED TO RECENT DEMANDS FOR BED SPACE?

In November 2003, in response to prison overcrowding, the Community Corrections Division added a total of 25 "MSP Direct" beds to the five private non-profit prerelease centers. These beds were designated specifically for offenders coming directly out of Montana State Prison. From November 2003 until October 31, 2004, 354 MSP offenders out of a total prerelease population of 996 have been placed in prerelease.



In April 2004, due to on-going demands for prerelease bed space, the Community Corrections Division implemented a six-month length-of-stay limit for all offenders residing in the five private non-profit prerelease centers. This length-of-stay limit requires that Case Managers from the centers submit a written request for approval to the Division, if they determine a need to extend an offender's stay beyond six months. The request must specifically outline the reasons for the extension, which may include disciplinary sanctions, failure to complete programming, court orders, and employment difficulties.

The average length-of-stay (number of days) for an offender in prerelease during the past three fiscal years is:

FISCAL YEAR	MALES	FEMALES
2002	214	248
2003	214	216
2004	177	186

8. WHAT DO OFFENDERS CONTRIBUTE TO SOCIETY WHEN THEY PARTICIPATE IN PRERELEASE CENTER PROGRAMS?

Offenders participating in a Prerelease Center Program are able to gain employment to help support their family. They also help pay for medical expenses, make restitution payments, pay court fines and taxes and save money for release. All these aspects of Prerelease contribute to holding the offender accountable and empowering them in accepting responsibility.

From July 2003 through June 30, 2004, male and female offenders participating in Prerelease Center programs earned approximately **\$5,884,561.28** in offender earnings, paid **\$161,998.84** in restitution and fines, paid **\$963,977.06** to income taxes, completed **26,093** hours in community services, paid **\$189,146.03** toward medical expenses, completed **911,573.43** employment hours and paid **\$313,860.82** for family and child support.

9. WHAT ARE THE CRIMES OF OFFENDERS PARTICIPATING IN PRERELEASE CENTER PROGRAMS?

Fairly recent Prerelease Center statistics reflect the following basic types of crime, listed from most to least common:

<u>MALES</u>	<u>FEMALES</u>
theft	possession of drugs
possession of drugs	theft
burglary	forgery
felony DUI	issuing a bad check over \$150.00
sale of drugs	sale of drugs
issuing a bad check over \$150.00	felony DUI
criminal endangerment	drug offenses, other state
forgery	burglary
felony assault	deceptive practices
criminal mischief	criminal endangerment

***ACIS/PRO-Files data extracted 10/4/2004**

10. HOW MANY OFFENDERS HAVE ESCAPED FROM PRERLEASE CENTER PROGRAMS?

FY2000 - TOTAL: 21
 FY2001 - TOTAL: 23
 FY2002 - TOTAL: 25
 FY2003 - TOTAL: 22
 FY2004 - TOTAL: 38
 FY2005 - TOTAL: 20 (as of 12/28/04)

The following is a listing of escapes from the Prerlease Centers:

FY2003		FY2004	
Total escapes from Billings	11	Total escapes from Billings	11
Total escapes from Butte	4	Total escapes from Butte	9
Total escapes from Great Falls	3	Total escapes from Great Falls	12
Total escapes from Missoula	1	Total escapes from Missoula	3
Total escapes from Helena	3	Total escapes from Helena	3
Total:	22	Total:	38

Escapes typically occur from the offender's employment site or enroute to and from the employment site and in-between Center movement counts. These also occur less frequently, on a job search pass, treatment pass or community pass.

11. HOW DOES THE DEPARTMENT OF CORRECTIONS KNOW THE PRERELEASE CENTERS ARE PROVIDING THE SERVICES STIPULATED IN THEIR PURCHASE OF SERVICE CONTRACTS?

A formal program and facility audit is conducted annually at each Center. The audits identify existing or potential problems, analyze and evaluate each Center=s program to determine efficiency and contribution to the overall mission of the facility and Department, as well as the service needs of the offenders. The audits include:

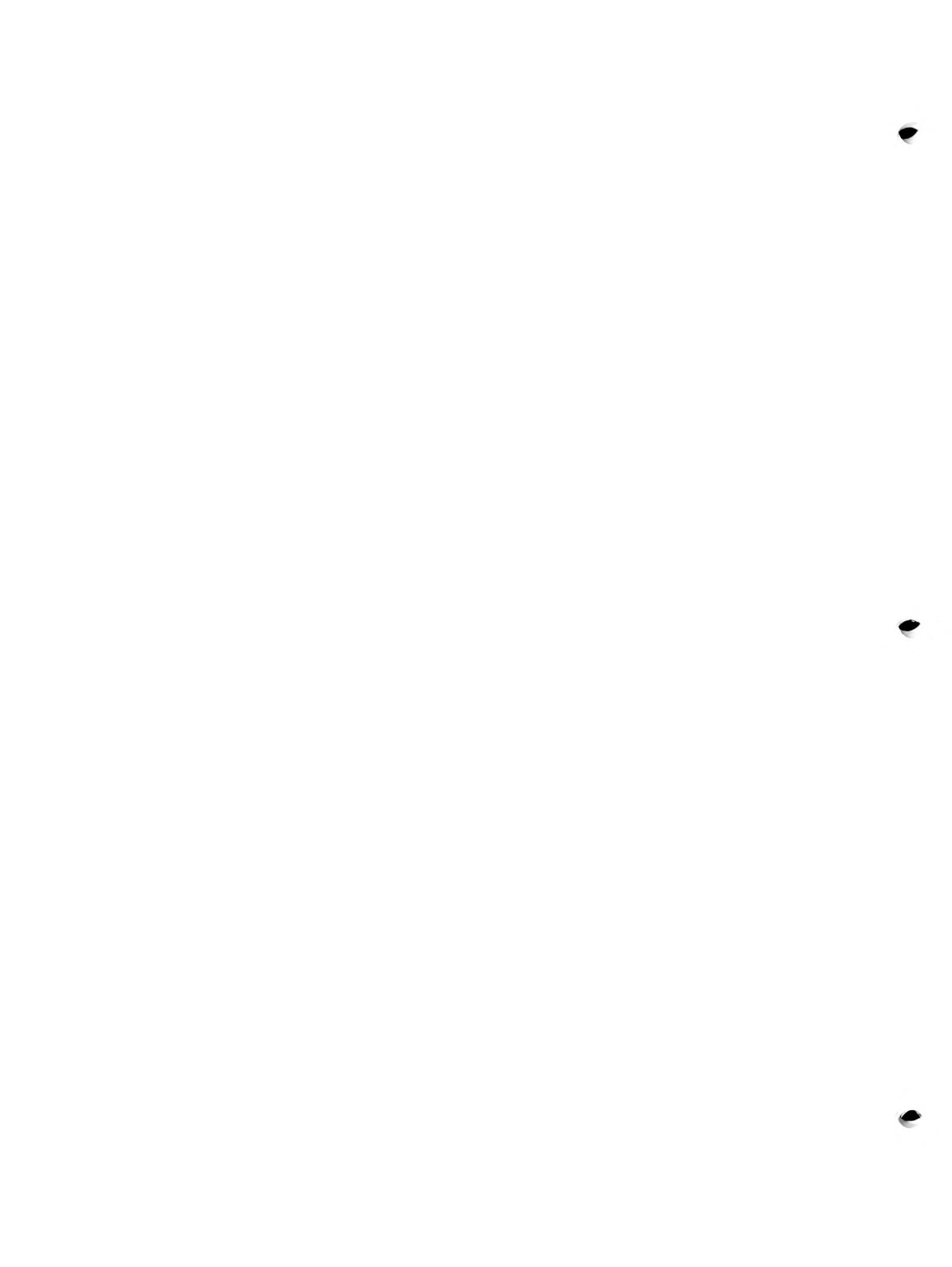
- 1) an inspection of the facility
- 2) case management review
- 3) review of the security program
- 4) personnel manual and personnel policy review
- 5) financial management review including offender financial records
- 6) safety/medical/food services/sanitation inspection
- 7) purchase of service contract review and
- 8) interviews with personnel and offenders

Documentation must be available to clearly demonstrate that the Center is meeting all of the requirements of the audit standard at all times. A written audit report is provided to Prerelease Center Administrators indicating audit findings, specifically noting any existing deficiencies and deviations from prior audits. A time-line for rectifying deficiencies is stipulated in the audit report.

12. HOW HAS THE INCREASED DEMAND TO PROVIDE CHEMICAL DEPENDENCY SERVICES FOR OFFENDERS AFFECTED PRERELEASE PROGRAMS?

To respond to this demand, in March 1998, the Department contracted with the Butte Prerelease Center to provide a comprehensive pilot chemical dependency program, separate from their Prerelease Center program, for adult male and female offenders. This program, the Connections Corrections Program (CCP), has a capacity for 40 offenders, is up to 60 days in length and provides chemical dependency services for:

- 1) Offenders committed to the Department of Corrections in which it is determined that the offender is in need of chemical dependency programming.
- 2) Parolees violating a condition(s) of their parole to a level that could cause them to return to the custody of the Department of Corrections;



- 3) Offenders at MSP or MWP that are mandated by the Board of Pardons and Parole or court ordered to complete chemical dependency programming prior to release; and
- 4) Offenders participating in prerelease center programs violating as a result of alcohol/drug use.

The Department plans to expand the Connections Corrections Program by utilizing a building wing of the WATCh Program, located on the Montana State Hospital, Warm Springs Campus.

13. DOES PRERLEASE PROVIDE ANY OTHER SERVICES TO THE DOC?

Yes, the Great Falls Prerelease Center provides 30 aftercare beds for offenders graduating from the "Boot Camp" Program (Treasure State Correctional Training Center). The aftercare program assists TSCTC graduates in making the transition from the TSCTC Program to the Community. The offenders generally stay in the aftercare program from one to ninety days while awaiting sentence reduction paperwork to be processed and/or release planning to be accomplished. While in the program, the offender is required to maintain the order and routine of the boot camp, participate in treatment programming and is provided employment opportunities within the community.

The Department also has a Transitional Living Program (TLP) for adult offenders. This is a nonresidential program wherein the offender resides in the community at an approved residence and reports to the Prerelease Center daily at a time established by the offender's counselor. Offenders participating in the program complete a 24 hour itinerary and are monitored daily by Prerelease Center personnel. The Transitional Living Program allows offenders the opportunity to safely integrate back into the community, assume increased personal responsibility and ensure, to the greatest extent possible, the safety and welfare of the community.

MISSOULA ASSESSMENT AND SANCTION CENTER

MASC Mission Statement

It is the mission of the Missoula Assessment and Sanction Center to provide alternatives to prison for DOC commitments without compromising the safety of Montana communities; to assess offenders as to their respected needs and facilitate placements and program referrals which may enhance the offender's success in the community.

The Missoula Assessment & Sanction Center (MASC) is a 144 bed correctional facility for adult male offenders. MASC is operated as a cooperative endeavor between the Department of Corrections/Community Corrections Division, Contract Placement Bureau at Montana State Prison and the Missoula County Detention Center.

The program is for offenders who have been committed by the courts to the Department of Corrections (DOC) or placed at MASC as a sanctioned offender by an Adult Probation & Parole Hearings Officer. A similar program is currently being developed for females at the Montana Women's Prison at Billings.

MASC was established in 2002 to assist the Department of Corrections in effectively identifying the needs of the offender and relaying these findings to the community corrections programs, thereby making the offender more acceptable to community placement. MASC strives to place acceptable offenders in lower cost community programs in lieu of a high cost long term secure facility.

MASC provides assessment, evaluation and short-term treatment (if offenders needs determine it will help with placement) prior to an offender being placed in a community based corrections program (Pre-Release Center, Connections Corrections Program, WATCH, Treasure State Correctional Training Center or Intensive Supervision Program). If an offender is assessed not suitable for community placement, he is transferred to prison.

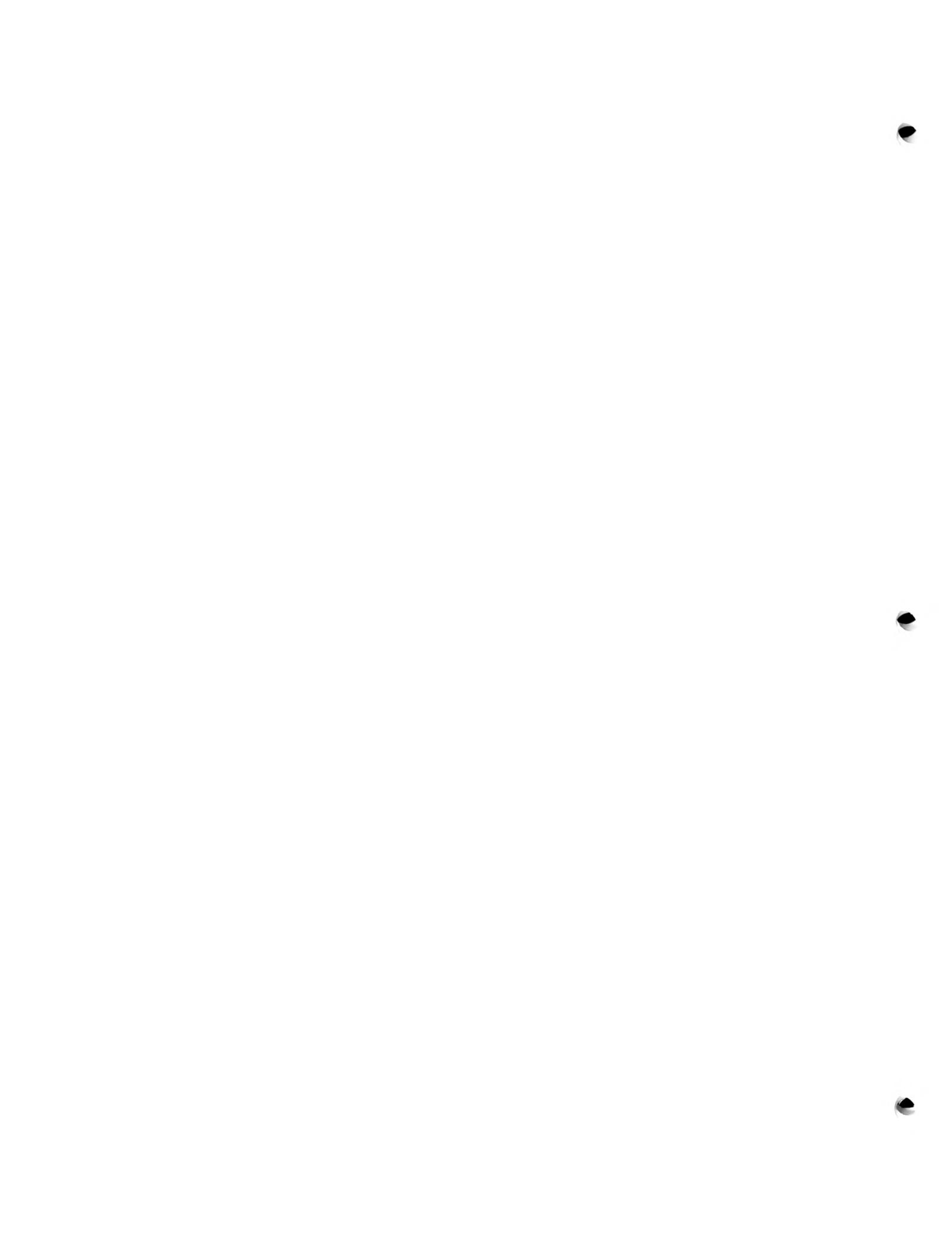
MASC is comprised of three components, two of which work in conjunction with each other while the third operates independently.

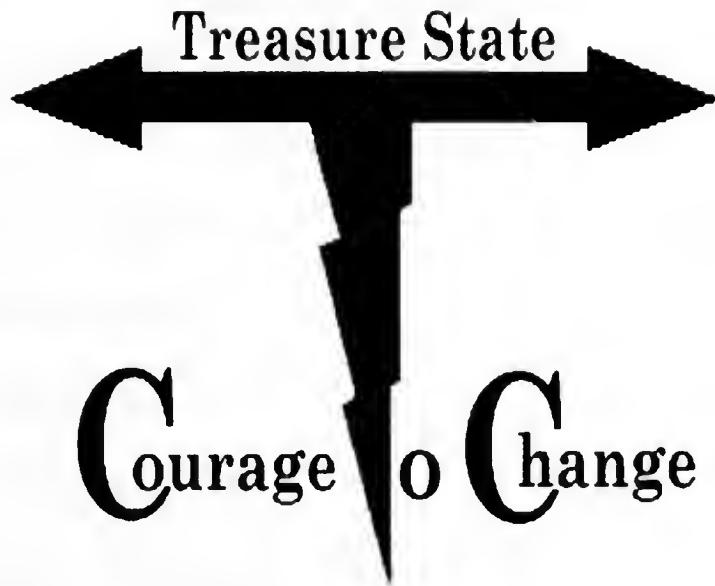
HOLDING is designed for offenders who have been pre-screened and accepted into a community corrections program and are waiting to be placed.

ASSESSMENT is comprised of evaluation and treatment programming in CP&R, chemical dependency and mental health, consisting of individual and group counseling.

The offender will be evaluated by MASC staff and directed to programming which may benefit him in gaining placement in the community. During his stay at MASC, he may receive a chemical dependency and/or mental health evaluation, attend counseling sessions, AA meetings and directed to attend CP&R classes and, if available, referred to similar programming upon transfer to the community.

SANCTION allows Probation and Parole Hearings Officers to place an offender at MASC for up to 30 days to serve a sanction, in lieu of sending the offender to prison or a higher cost facility for violations of community placement rules. MASC began taking “sanctioned offenders” in February of 2003.





Treasure State Correctional Training Center Boot Camp Program

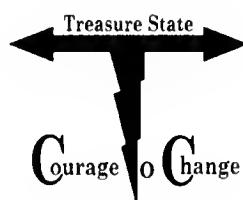
**Dan Burden, Superintendent
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TREASURE STATE CORRECTIONAL TRAINING CENTER

BOOT CAMP PROGRAM



1. Treasure State Correctional Training Center (Boot Camp)

The Correctional Training Center (CTC) is a correctional facility for adult male offenders (called trainees while in the program). The program is based on a military format, and stresses preventing future criminal behaviors, physical training and drill. The 90 to 120 day program combines treatment and rehabilitation programming in an intensive, structured and disciplined correctional environment. CTC is a voluntary program.

2. What are the Eligibility Requirements?

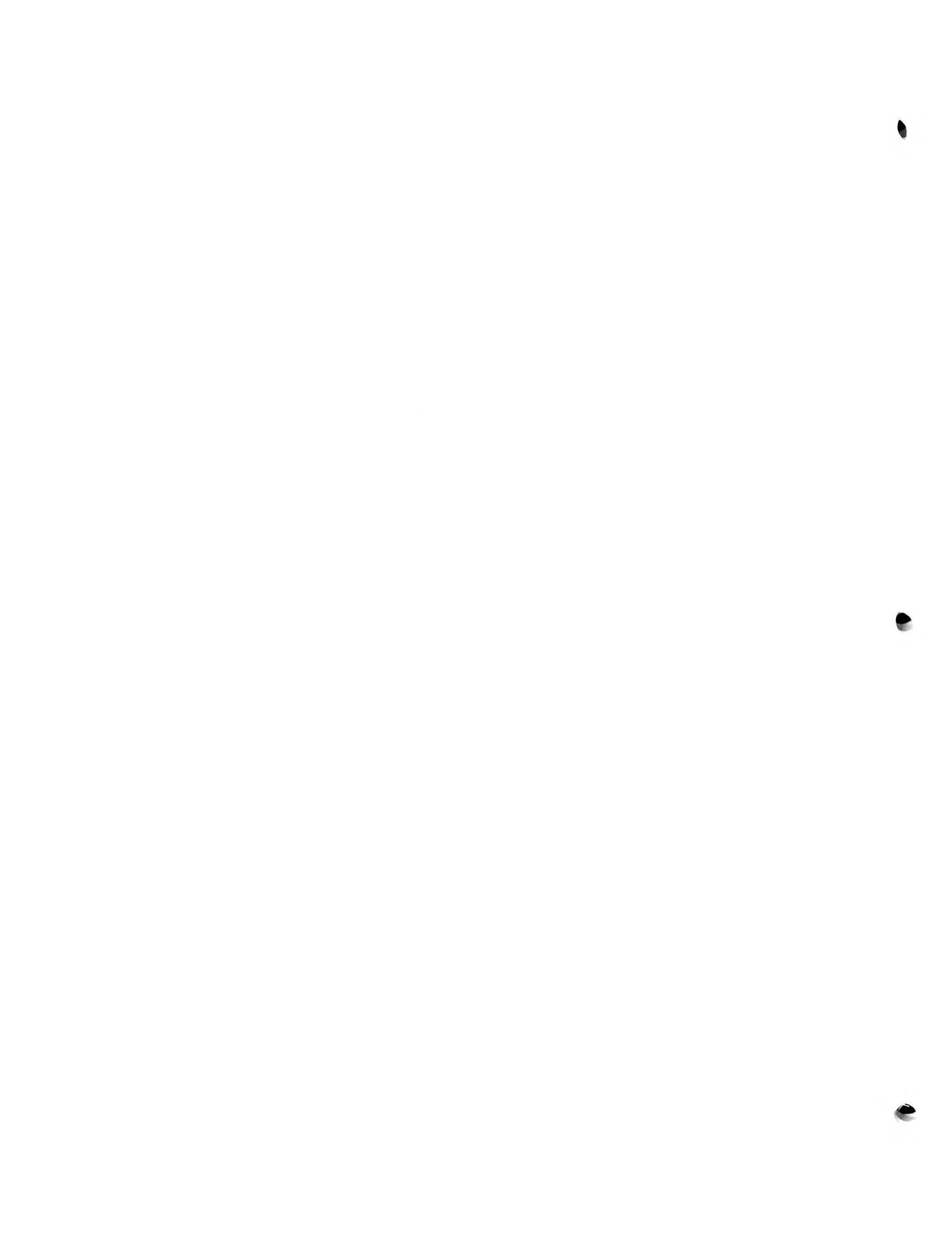
Individuals who volunteer for the program are initially screened by the CTC Institution Probation and Parole Officer (IPPO), who verifies that they meet the basic requirements for entrance into the program. Those who qualify for the program are then presented to the CTC screening committee. The screening committee is made up of DOC personnel, local citizens and law enforcement personnel.

Individuals screened for the program are referred from a broad range of correctional entities, those being: Montana State Prison, Missoula Assessment and Sanction Center (MASC), all Regional Prisons, Department of Corrections (DOC) placements, and referrals from district court of individuals on probationary status.

To be eligible for the program an individual must:

- be convicted of a felony offense other than those punishable by a death sentence
- be serving a sentence of one year or more, except in the case of an individual on probationary status
- not have outstanding detainers or warrants
- not have physical limitations (which would prevent strenuous activity)
- not have mental impairments (which would unduly restrict participation)
- pass a medical exam to ensure sufficient health for participation, and
- may not be admitted to the program more than twice.

All individuals accepted into the CTC program must have a recommendation from their sentencing judge or the Board of Pardons and Parole (BOPP). Statute does not allow the courts to make direct commitments to the program. The court may recommend an offender for the program, but placement is contingent upon the individual meeting the eligibility requirements criteria and approval of the CTC screening committee.



3. How does the Program Operate?

The program involves accountability, strict discipline, regimentation, and physical fitness while incorporating an intensively structured treatment program. During the trainees' stay, they are required to participate in **all** segments of the program. For the program to be beneficial, it is necessary to adhere to strict guidelines. If a trainee's needs fall outside of what is offered by the program, it may be necessary to transfer that trainee to another correctional facility where those needs can be addressed.

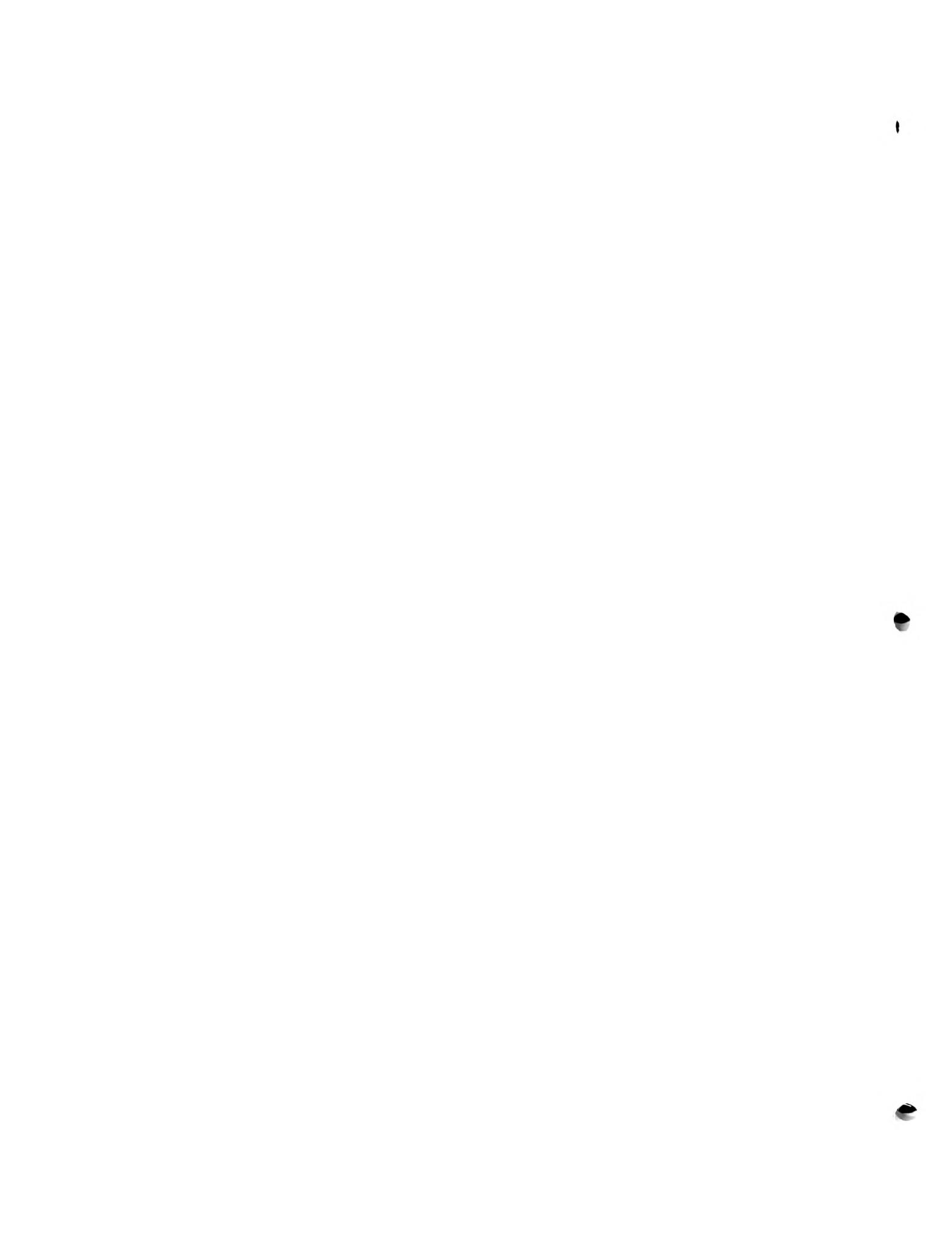
Trainees must commit to making 100% effort 100% of the time, both physically and mentally, while in the program. If they are sick, they lose that day and must make it up. If they are in segregation awaiting a hearing or disciplinary sanctions, they lose those days and must make them up before they can graduate. The trainees do not receive good time nor do they get paid while they are in the CTC program. The program provides an opportunity for the trainees to change their criminal behavior and thinking to help prevent future victimization.

4. What is the Focus, Type of Treatment and Counseling Offered at CTC?

Accountability: "I will take the credit or the blame for my actions". This is one of the foundations of the TSCTC program. Holding offenders accountable for the harm they have done to others is one of the fundamental goals of the program.

Offenders are held to **strict standards** of discipline. Rules are enforced quickly with immediate consequences. TSCTC strives to make offenders learn to follow the rules, but learning discipline by itself does not prevent offenders from victimizing others again. Enforcing strict discipline adds stress. This stress is used to create receptiveness in the offender. With improved receptiveness, offenders attend programs including:

- Anger Management
- Cognitive Restructuring
- Parenting
- Thinking 4 Change
- Substance Abuse Counseling
- Victimology
- Victim Impact
- School
- Psychological services
- Religious Services



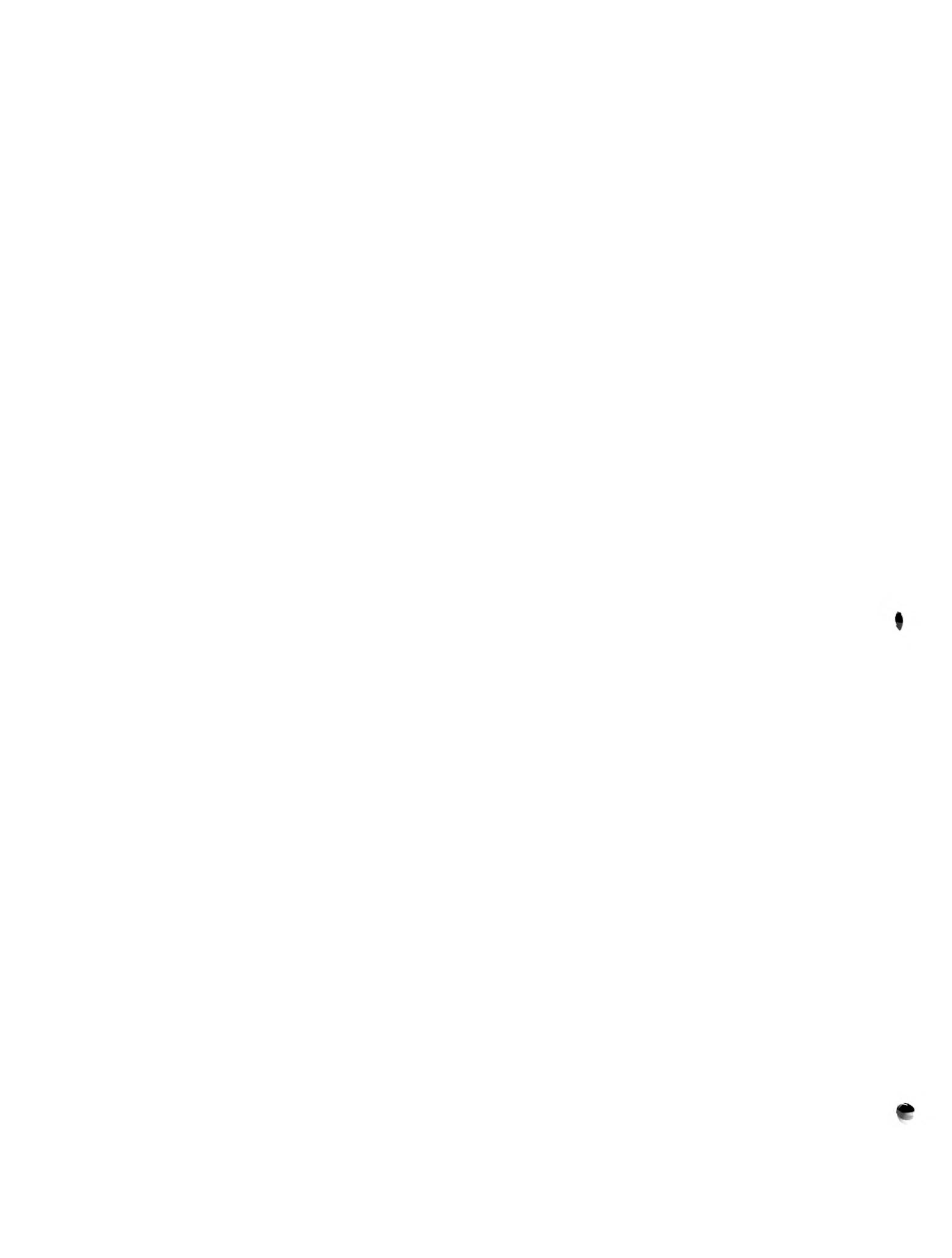
5. What Happens to the Trainee Upon Completion of the CTC Program?

Intake takes place every third Tuesday and graduations occur almost weekly, depending on when the trainees' individual 90 to 120 day program requirements are satisfied. The trainees don't necessarily stay with the squad in which they arrived. A trainee may be demoted to a lower squad, depending on attitude, progress, and discipline. Upon graduation, a high majority of trainees will be transferred to the Great Falls Aftercare Program, where they (now known as booters) stay up to ninety days while awaiting sentence reduction paperwork to be processed and/or release planning to be accomplished, or a select few may be released to the Intensive Supervision Program (ISP) or Parole and Probation. The Booter is required to participate in a combination of release options, such as Aftercare, Prerelease, and then ISP. The release plan is coordinated through CTC's Institutional Probation and Parole Officer, the Probation and Parole Officer II at the Aftercare program, the sentencing court, and the Probation and Parole Officer in the receiving community. In most cases, the Certificate of Completion will be awarded to the Booter who has **completed successfully** both CTC and Aftercare/Prerelease/ISP.

6. What is the Capacity of the Program and the Current Average Daily Population?

The Treasure State Correctional Training Center was designed to accommodate 60 trainees. The average daily population as of October, 2004 was 55.

7. Statistical Charts on Following Pages:



WARM SPRINGS ADDICTIONS & CHANGE PROGRAM

WATCh FELONY DUI PROGRAM

BACKGROUND

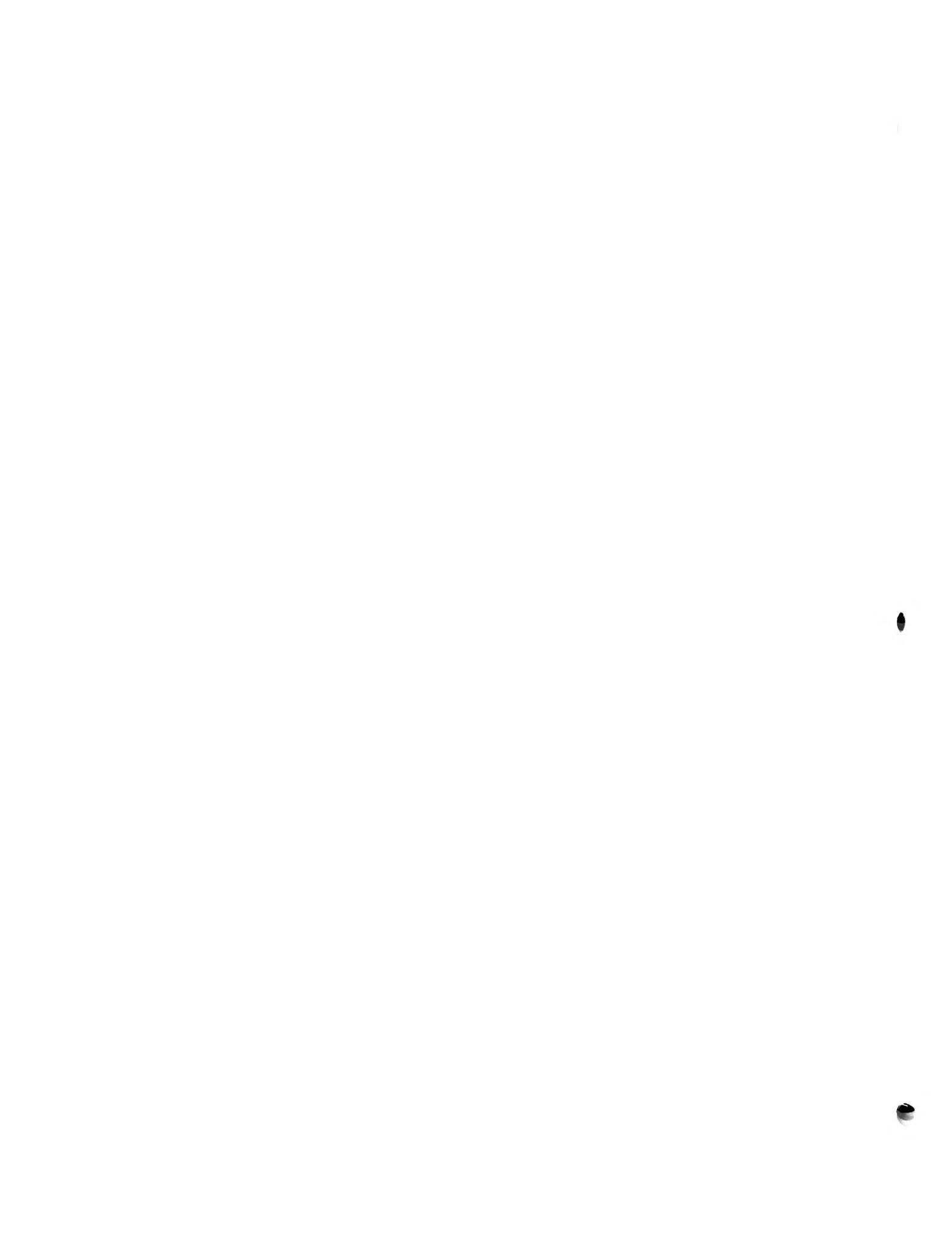
Montana sentencing statute (61-8-731), M.C.A. was revised in the 2001 Legislature allowing the Department of Corrections (DOC) to place fourth and subsequent DUI offenders in a treatment facility rather than prison. The sentence is for 13 months. However, if the offender successfully completes the program, the remainder of the sentence may be served on probation. If the offender does not participate in the program, or if it is determined the offender is inappropriate for treatment in the Modified Therapeutic Community, the offender will be placed at a state prison for 13 months. The treatment program gives the Department a critical tool for controlling population levels. If the offender fails to complete the program, the offender will be sent to a state prison for the remainder of their sentence.

The Department chose to contract for the operation and management of the Modified Therapeutic Community via the Request for Proposal (RFP) process. Community, Counseling and Correctional Services, Inc. (CCCS) was the successful bidder. CCCS operates the treatment program in a state owned building located on the grounds of Montana State Hospital at Warm Springs, Montana. CCCS named the program Warm Springs Addictions, Treatment and Change Program (WATCh). The cost is \$51.45 per offender per day.

The contract between the DOC and CCCS requires that a "Screening Committee" determines acceptance into the WATCh program. The Screening Committee is composed of two representatives from the WATCh Program, two representatives from the Department of Corrections, one representative from Anaconda/Deer Lodge County Law Enforcement and one representative from the Montana State Hospital. Generally, all offenders convicted of a fourth or subsequent DUI are accepted. However, several exclusions may apply such as a history of violence, medical or mental health conditions impacting the offender's ability to participate in the program.

MISSION

The WATCh Program is a six-month, intensive, cognitive/behavioral based addictions treatment community designed to assist offenders in the development of the skills necessary to create pro-social change, reduce anti-social thinking, criminal behavior patterns, and the negative effects of chemical addictions while integrating more fully into society.



PURPOSE

Effective treatment for fourth and subsequent DUI offenders can be part of the solution in reducing the incidence of DUI arrests.

Research¹ indicates that the most promising approach to substance abuse treatment is cognitive/behavioral-based programs utilizing the Modified Therapeutic Community Model. The program believes that treatment strategies for achieving increased self-regulation for chemical abuse and criminal conduct must be made to fit the offender's level of awareness, cognitive development and determination to change disruptive patterns of thought and behavior. At the WATCh Program, staff use the appropriate strategies at the particular stages of each offender's process of change.

It is believed that self-improvement and change involves, first and foremost, developing the motivation to change. Once a therapeutic alliance is forged, self-regulating skills may then be learned through motivational counseling, therapeutic confrontation and reinforcement of life enhancing behavior. Effective treatment must integrate the principles of both therapeutic and correctional treatment models.

PROGRAM OVERVIEW

The WATCh Program provides services for up to 140 fourth and subsequent DUI offenders for a treatment stay of 6 months. Over the 2004 fiscal year, the program has served 280 offenders.

The WATCh Program is unique in its intensity and duration in that programming is provided 8.5 hours per day. The therapeutic community model ensures that offenders are held accountable all waking hours.

The WATCh Program utilizes the Modified Therapeutic Community Model that is cognitive/behavioral based. It has both the Wanberg and Milkman's curriculum, "Criminal Conduct and Substance Abuse Treatment: Strategies for Self-improvement and Change" and Cognitive Principles and Restructuring as its foundation. There is also a strong emphasis on Criminal Thinking Errors, twelve-step programming, relapse prevention and skill building. The program is six months in duration followed by mandatory aftercare in the community. The WATCh Program is divided into three phases as follows:

- < Phase I Orientation to the Therapeutic Community
- < Phase II Modified Therapeutic Community Treatment
- < Phase III Relapse Prevention and Discharge Planning

The therapeutic community model simulates a healthy family and uses community as a treatment

¹ Harry K. Wexler, PhD, "The Success of Therapeutic Communities for Substance Abusers in American Prisons"



method. Roles for each family member and rules are well defined and are to be followed by program participants.

PROGRAM COMPONENTS

1) SCREENING AND ASSESSMENT

Within the first week of the offender's placement, a comprehensive assessment is completed to determine the following: medical status, mental health status, level of risk and risk factors for recidivism, level of substance abuse, and other items necessary to the development of a comprehensive individualized treatment plan.

The Life Skills Inventory - Level of Service Inventory – Revised (LSI-R) that contains both static and dynamic factors relating to recidivism is administered at intake and discharge. This tool demonstrates indicators of pro-social change.

2) MODIFIED THERAPEUTIC COMMUNITY MODEL

As compared to the traditional Therapeutic Community Model, this model is more staff intensive and structured. The Program has implemented a model that consists of the following:

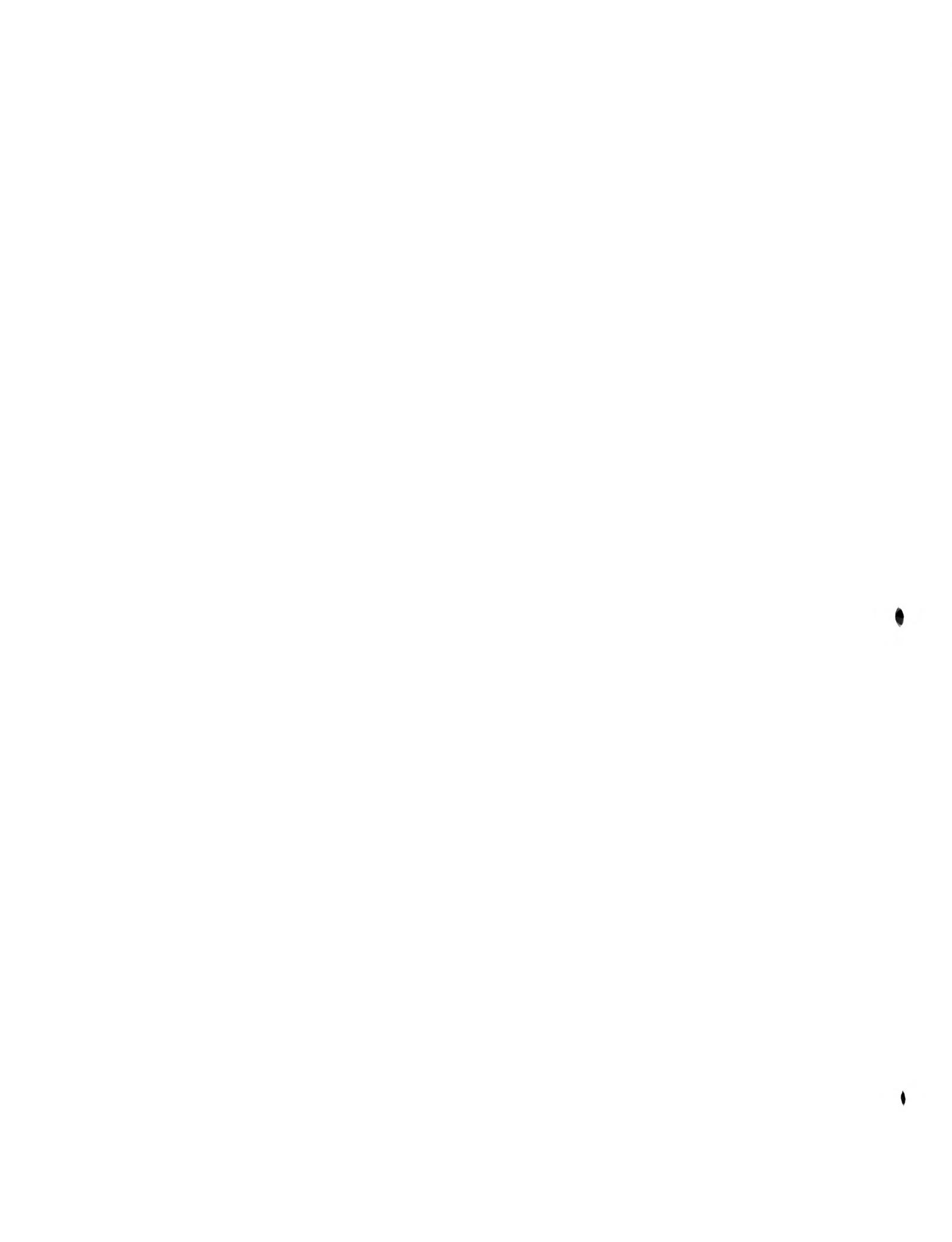
- < Four living areas designated as separate families.
- < Community meetings held twice daily.
- < Family structure and roles.
- < Programming conducted separately within each family unit.
- < Each family unit has two chemical dependency counselors, one case manager and a counselor technician.
- < Therapeutic Tasks
- < Responsibility and Discipline
- < Rules and Regulations

3) CHEMICAL DEPENDENCY PROGRAMMING

- Wanberg and Milkman's curriculum, "Criminal Conduct and Substance Abuse Treatment: Strategies for Self-Improvement and Change" has been implemented.

This curriculum is cognitive/behavioral based. As the curriculum provides for three distinct phases, it is ideally suited for the WATCh program.

- < Phase I Challenge to Change or the reflective-contemplative phase.
- < Phase II Challenge to Change is an action phase that involves the Family member in an active demonstration of implementing and practicing change.
- < Phase III Ownership of Change phase is a stabilization and maintenance phase. The



concepts of relapse and recidivism prevention are reviewed.

- Twelve-step Programming focusing on completion of the 12 steps of Alcoholics Anonymous.
- Involvement in AA and NA meetings to encourage participation in these support groups after discharge.

4) COGNITIVE PRINCIPLES AND RESTRUCTURING

The curriculum is cognitive based and divided into two phases: the *initial phase* (4 weeks) and the *intermediate phase* (16 weeks). The focus is on criminal thinking reports and identifying each offender's criminal cycle, then developing an action plan to change the behavior.

5) CRIMINAL THINKING ERRORS

A structured program of lectures and specific group work exercises that explore the underlying reasons for negative and antisocial thinking and offer remedial methods to redirect thinking and actions to achieve a change to pro-social behavior.

6) FAMILY RELATIONSHIPS/PARENTING PROGRAMMING

All Family Members are screened and assessed for participation in our Family Relationships/Parenting group. This program consists of 12 weekly sessions, lasting approximately one (1) hour and is open-ended. Family Members begin at any point and progress at their own pace.

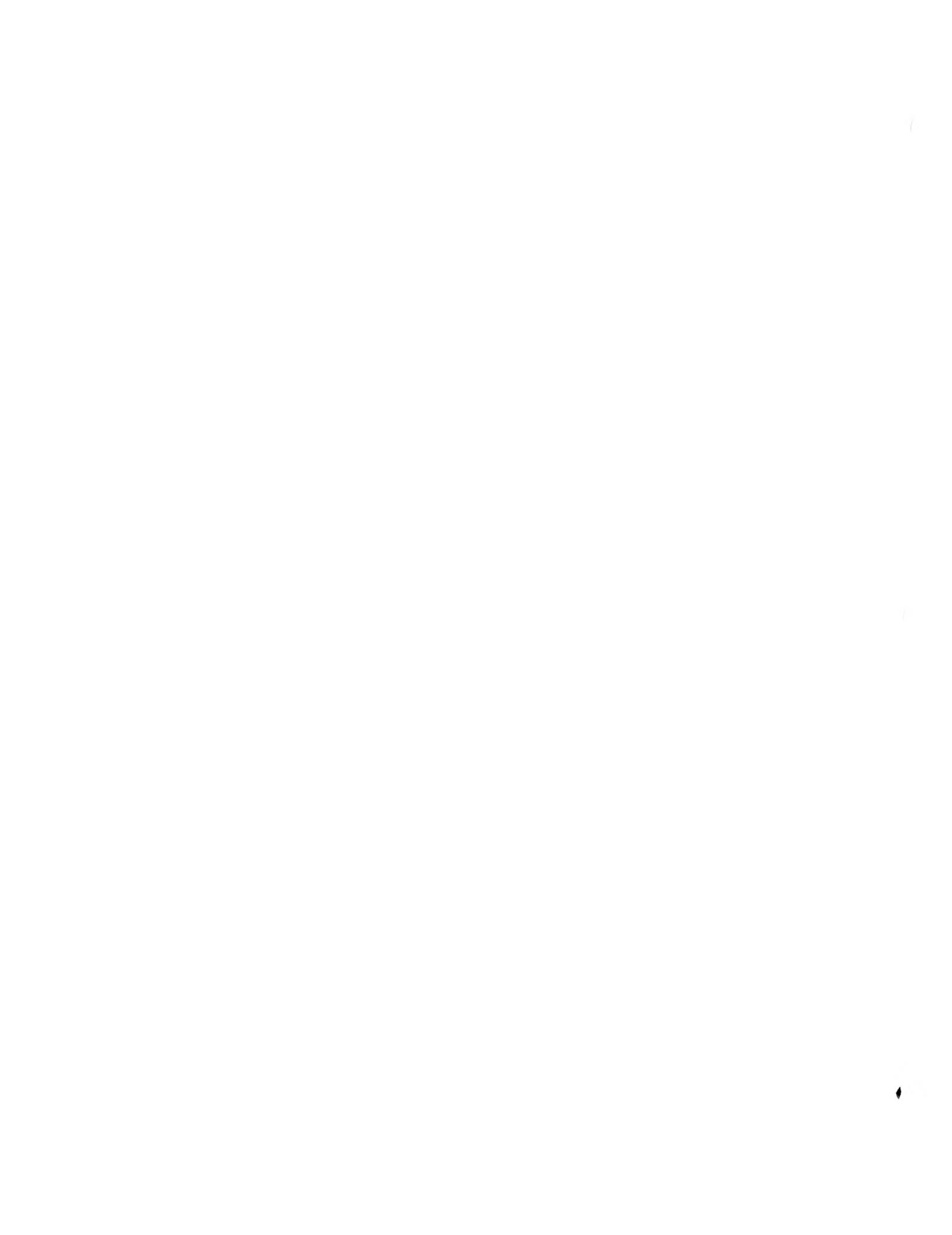
The program consists of group work, reading assignments, reflections and written work which look to educate Family Members on family patterns and positive tools that they can employ when parenting their own children.

7) ANGER MANAGEMENT

All Family Members are screened and assessed for participation in Anger Management. This group is held weekly for approximately one (1) hour and consists of five lessons aimed at dealing with the underlying issues, which cause anger, and positive, pro-social interventions to appropriately deal with angry thoughts and feelings. This is a "closed program" and therefore one group will begin and end together, which helps to enhance trust and sharing of sensitive issues.

8) LIFE SKILL DEVELOPMENT

All Family Members at the WATCH Program participate in Life Skill Development classes. These classes, which are conducted by the Community and Employment Specialist, and Intensive Community Case Manager/After Care Coordinator, cover the following topics: interpersonal skills, financial management, food management, personal appearance, health, employment seeking, employment maintenance, legal skills, emergency and safety skills, community resources, and housekeeping.



9) VICTIM ISSUES/RESTORATIVE JUSTICE

A cognitive behavioral approach to assist offenders in understanding the serious consequences of their actions, appreciate the pain and trauma they have caused their victims and build empathy for their victims.

10) SPECIALITY GROUPS

Grief Group:

WATCH Utilizes a program written by one of its counselors, Beverly Welo, entitled: *Life Beyond Loss: A Workbook for Incarcerated Men*. This group addresses the grief and loss issues that many of our Family Members face. Individuals are referred by their primary treatment team and the group typically lasts two months. Ms. Welo has also recently published a workbook entitled: *Picking Up The Pieces* which addresses grief and loss issues for women, and was developed out of her work with women at the WATCH Program.

Women's and Men's Issues:

These separate groups are focused on addressing the unique needs and issues which face men and women. The Woman's Group utilizes the *Helping Women Recover* series, which is specifically targeted at helping women who are in a correctional setting. The Men's Group utilizes the *Men's Work Workbooks*, by Paul Kivel. This series incorporates three workbooks titled: "Anger, Power, Violence and Drugs"; "Becoming Whole"; and "Growing Up Male." Both groups consist of group work, reading assignments and journaling.

11. OTHER PROGRAM COMPONENTS

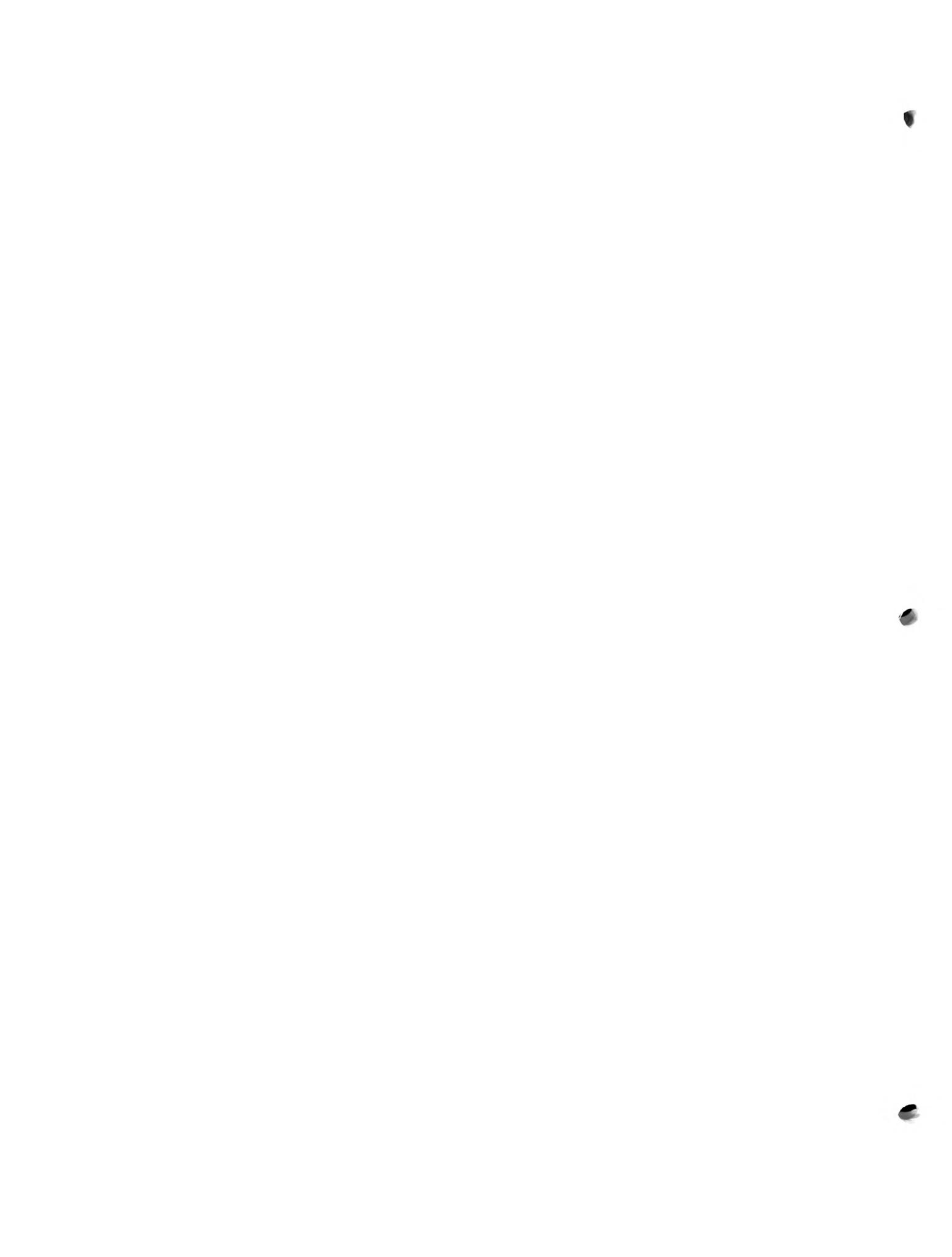
- < UA Testing
- < System of Incentives and Sanctions
- < Recreational Programming
- < Art Therapy

PROGRAM EVALUATION

Evaluation efforts commence on day one of the offender's placement. Initially, the evaluation efforts focus on the Structure and Process of the program itself. Phase progression and completion of modules and assignments is tracked throughout the offender's treatment experience.

Outcome measures are tracked on an on-going basis following the offender's discharge as follows:

- < Arrest data
- < Technical Violations
- < Revocations



- < Convictions
- < Degree of Compliance with the Aftercare/Discharge Plan
- < Continuity of Care
- < Sobriety or use information
- < AA attendance

Offenders successfully completing the program will be tracked for five years. Two methods of tracking will be used:

1. Utilizing the Adult Corrections Information System (ACIS)/PRO-Files for convictions and technical violations on a monthly basis.
2. Collection of the above measures from the supervising Probation and Parole Officer on a quarterly basis.



WATCH PROGRAM STATISTICS

The following is a compilation of statistics for the WATCH Program. These numbers were generated from information gathered from all Family Members who have entered into the program since February 1, 2002 through September 30, 2004.

AVERAGES

- Age at admission: **42.81** (Age Range: 20-78)
- BAC at time of arrest: **.208** (BAC Range: 0.8 - .391)
- Number of DUI'S: **5.80** (DUI Range: 4 - 14)
- # of misdemeanors: **17.55**
- # of felonies(includes current charge(s)): **2.26**
- # of prior outpatient treatments: **.76**
- # of prior inpatient treatments: **1.29**
- Age of first use: **13.59**
- Longest time clean and sober: **12.55 months**
- Individuals with co-morbid (psychiatric) conditions: **28%**
- Level of education: **11.81** (Education range: 4th grade – Ph.D.)
- Primary Drug of Choice: **Alcohol**
- Secondary Drug of Choice: **Marijuana**
- Length of stay for those who complete: **183.75 days**
- Length of stay for those who do not complete: **99.52 days**
- Average LSI Score upon admission: **23.76**
- Average LSI Score upon discharge: **20.63**

SCREENING and WAITING LIST

- Total number screened: **875**

Screening

Males screened: **761**

Females screened: **114**

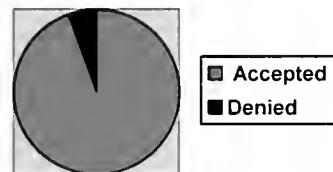
Total Approved: **791** (91 % of total screened)

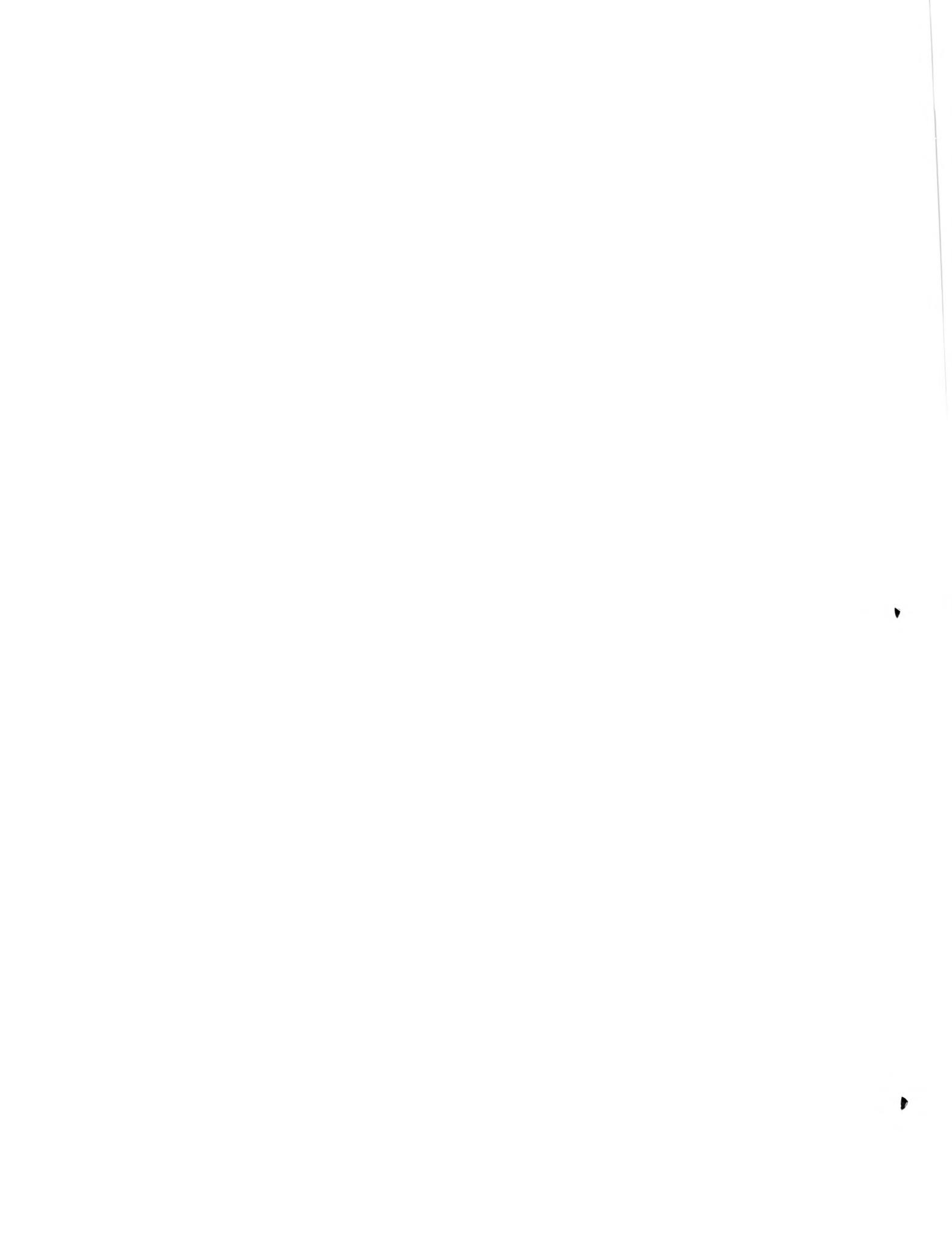
- Number Withdrawn: **25** (3% of total screened)

- Total Deferred: 5 (0.5% of total screened)

- Number denied: **47** (5.4% of total screened)

- due to criminal history: 23
- due to inappropriate sentence: 4
- medically inappropriate: 4
- denied by DOC: 13
- denied by Parole Board: 3





ADMISSIONS

TOTAL # OF FAMILY MEMBERS ADMITTED TO THE PROGRAM: 778

Of these 778 there have been:

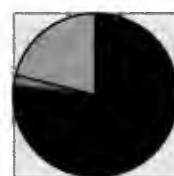
- **670** Males (86%)
- **108** Females (14%)
- **1** Polynesian (.1%)
- **3** African Americans (.4%)
- **14** Hispanics (1.8%)
- **2** Alaska Native (.3%)
- **164** Native Americans (21%)
- **594** Caucasians (76%)

Gender



■ Male
■ Female

Ethnicity

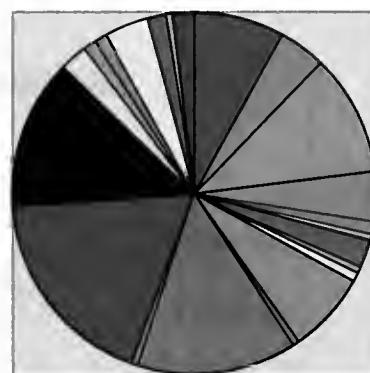


■ African Am
■ AK Native
■ Caucasian
■ Hispanic
■ Nat. American
■ Polynesian

BREAKDOWN OF NATIVE AMERICAN POPULATION BY TRIBE/AFFILIATION:

TRIBE/AFFILIATION	NUMBER
Assinibone	4
Blackfeet	22
Cherokee	2
Cherokee-Cree	2
Chippewa	6
Chippewa Cree	30
Choctaw	1
Cree	3
Crow	23
Gros Ventre	7
Little Shell	1
Navajo	2
Northern Arapaho	1
Northern Cheyenne	12
Pequis Band	1
Quapaw	1
Rocky Boy	4
Salish/Kootenai	18
Sioux	7
Sk'allam	1
Sioux Crow	3
Unknown	13

Tribal Affiliation



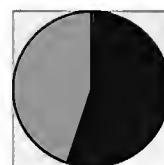
■ Unknown
■ Sioux
■ Salish/Kootenai
■ Gros Ventre
■ Navajo
■ Sk'allam
■ Rocky Boy
■ Quapaw
■ Pequis Band
■ N. Cheyenne
■ Little Shell
■ Crow
■ Choctaw
■ Chippewa Cree
■ Blackfeet
■ Assinibone
■ Cherokee
■ Cherokee Cree
■ Chippewa
■ Cree
■ N. Arapaho
■ Sioux Crow

OTHER INFORMATION:

- # of Escapes: **0**
- # of positive UA's: **0**
- # of positive BA's: **0**
- # of Class I write-ups: **2**
- # of Class II write-ups: **146**
- # of Class III write-ups: **121**

(NOTE: positive UA's and BA's does not include intake UA's or BA's)

Disciplinary Write-Ups



■ Class I
■ Class II
■ Class III

DISCHARGE INFORMATION

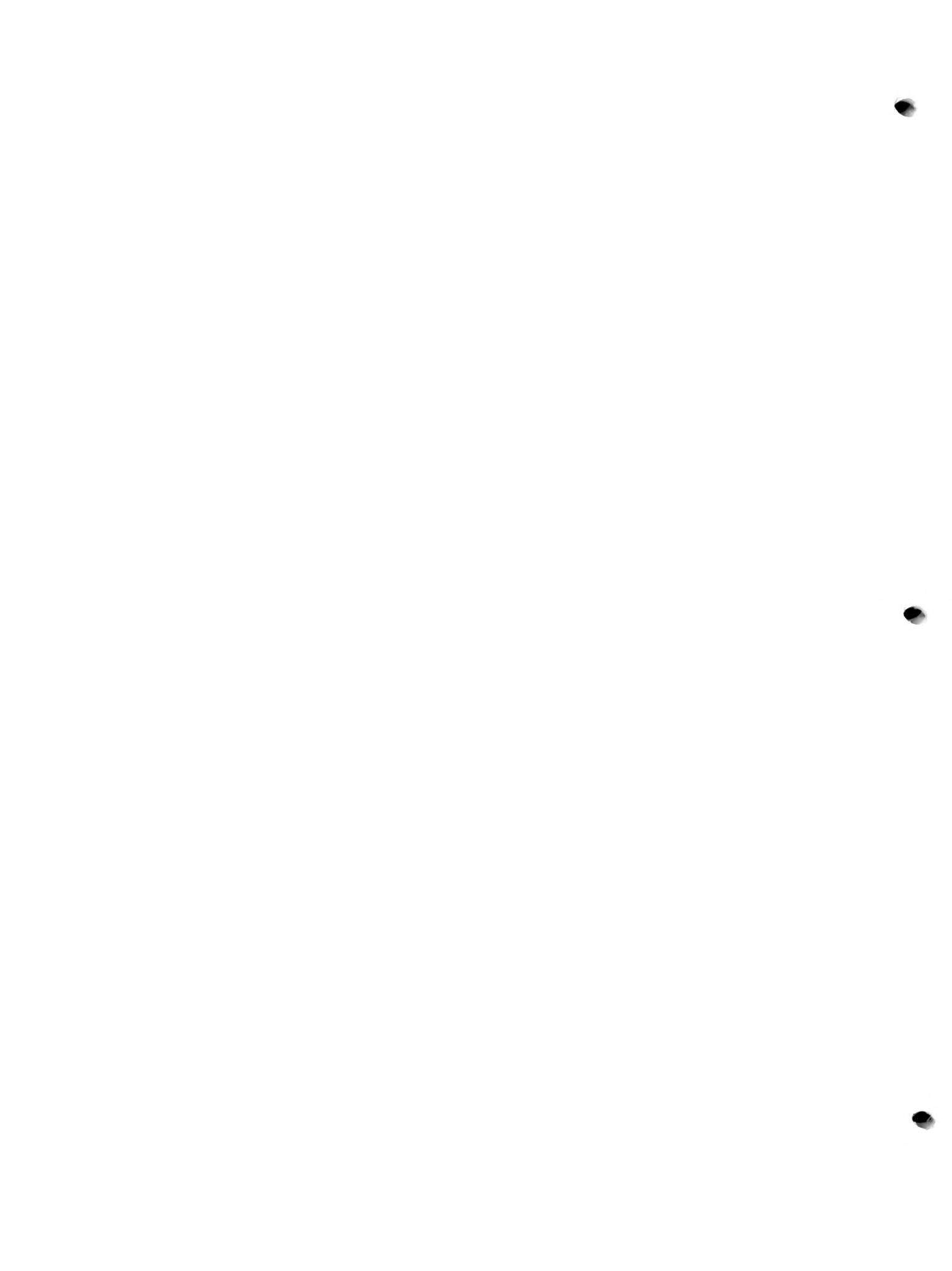
TOTAL NUMBER OF DISCHARGES: 643 (91 females, 552 males)

- **576**, or 89.6% of the total discharged, have completed the program.
 - ✓ 81 females – 89% completion rate
 - ✓ 495 males – 89.7% completion rate
- **67**, or 9%, were removed from the program (10 females, 57 males)
 - ❖ **Of these 67 :**
 - 7 were temporarily removed from the program due to a disciplinary sanction, but then returned.
 - 3 were temporarily removed due to a medical condition, and once stabilized, were returned
 - 9 were as a result of voluntary resignation.
 - 1 did not complete the program due to death.
 - 3 were transferred to a another facility due to needing a different level of care.
 - 12 did not complete the program due to his/her sentence expiring
 - 3 received an incomplete, however, they may receive a complete upon completion of their aftercare counseling.
 - 29 were the result of a disciplinary decision.

Discharge Categories



■ Complete
■ Other Discharge
■ Disciplinary
■ Vol. Resign



AFTERCARE/COMPLIANCE DATA

The following numbers have been generated by contact with aftercare counselors and probation officers, and are for those individuals who completed the program. The sample size is indicated next to the reporting period and represents the total number of people for whom we have received information on.

ONE MONTH POST DISCHARGE (n= 494)

90% were in compliance with Probation/Parole mandates or requirements.
64% were employed/retired/attending school.
67% were making payments on their fines/restitution.

THREE MONTHS POST DISCHARGE (n= 329)

79% were in compliance with Probation/Parole mandates or requirements.
82% were employed/retired/attending school.
70% were making payments on their fines/restitution.

SIX MONTHS POST DISCHARGE (n= 419)

66% were in compliance with Probation/Parole mandates or requirements.
77% were employed/retired/attending school.
70% were making payments on their fines/restitution.

ONE YEAR POST DISCHARGE (n=196)

65% were in compliance with Probation/Parole mandates or requirements.
71% were employed/retired/attending school.
70% were making payments on their fines/restitution.

18 MONTHS POST DISCHARGE (n=84)

75% were in compliance with Probation/Parole mandates or requirements.
70% were employed/retired/attending school.
82% were making payments on their fines/restitution.

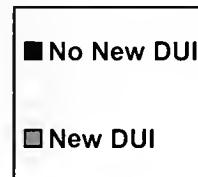
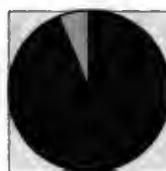
TWO YEARS (22-24 months) POST DISCHARGE (n=26)

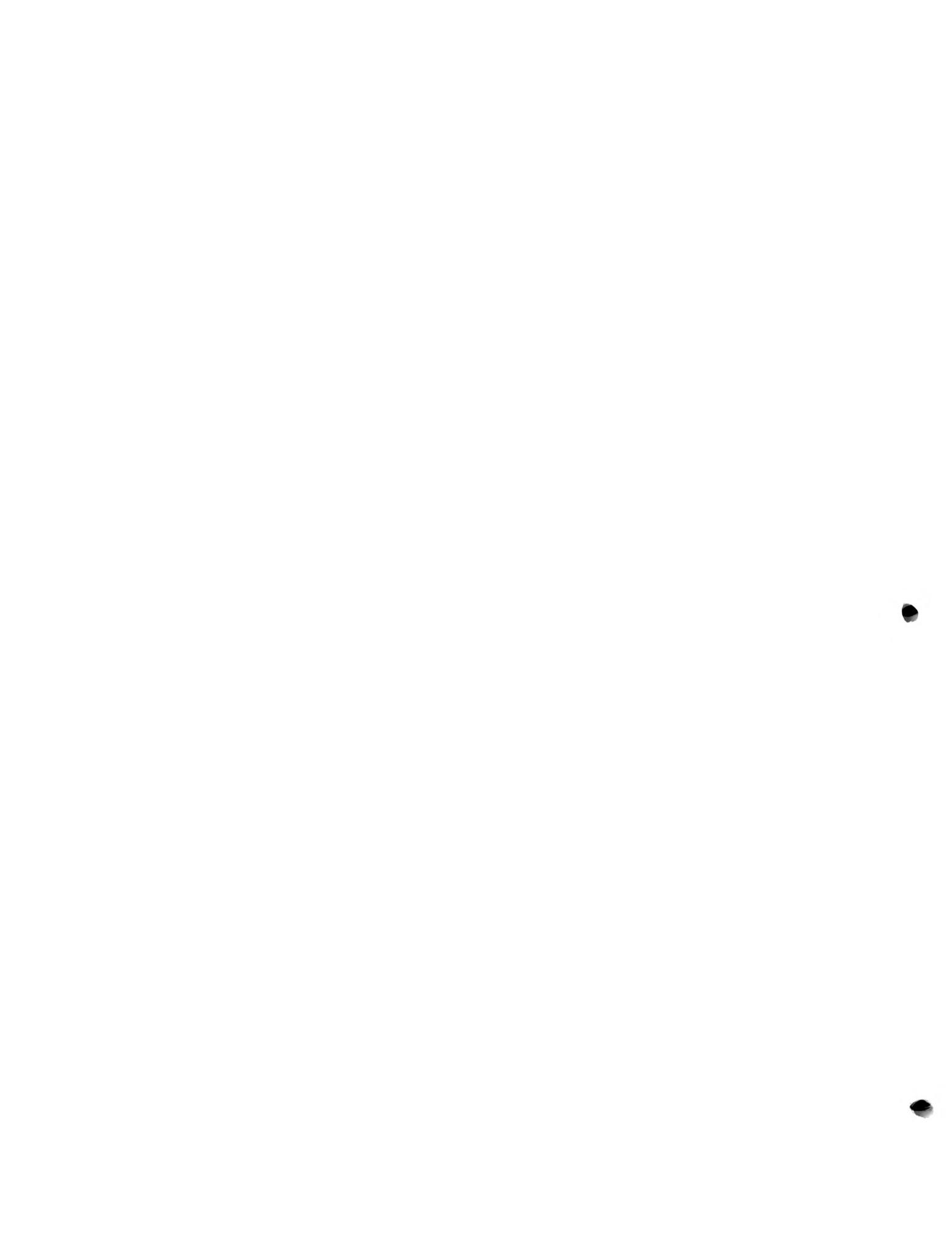
81% were in compliance with Probation/Parole mandates or requirements.
85% were employed/retired/attending school.
76% were making payments on their fines/restitution.

✓ **Out of the 576 individuals who have completed the program: 36 individuals have been charged with, or convicted of, a new DUI. This breaks down to:**

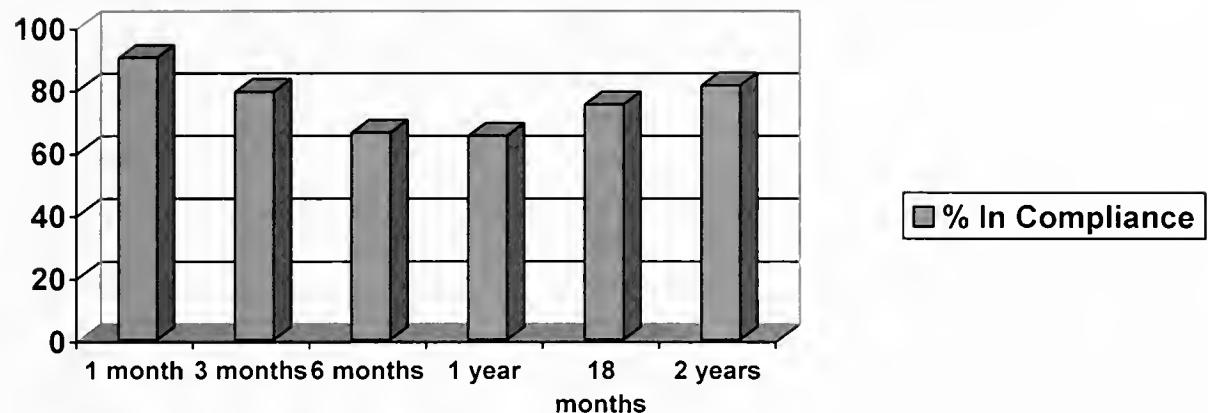
93.7% of our graduates have not committed a new DUI.
6.3% of our graduates have been charged with, or convicted of, a new DUI.

DUI RECIDIVISM

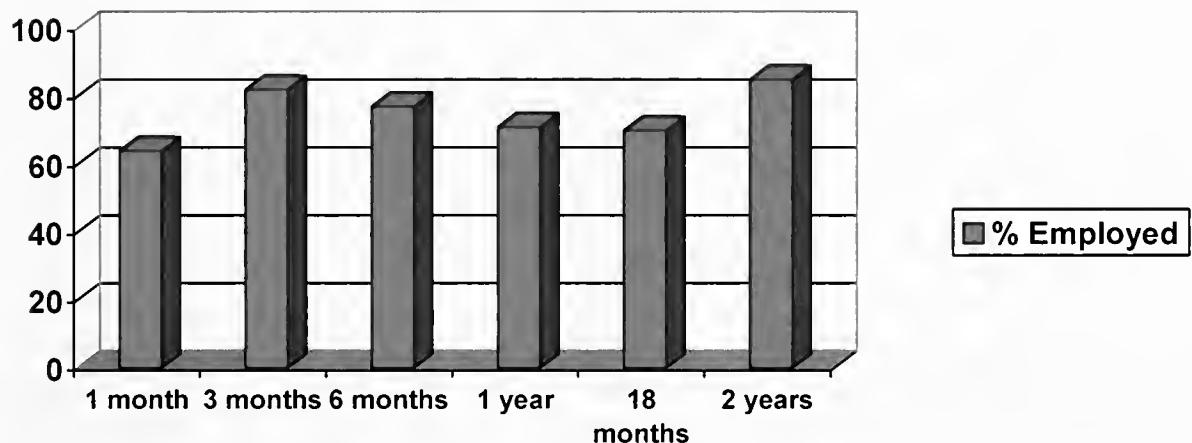




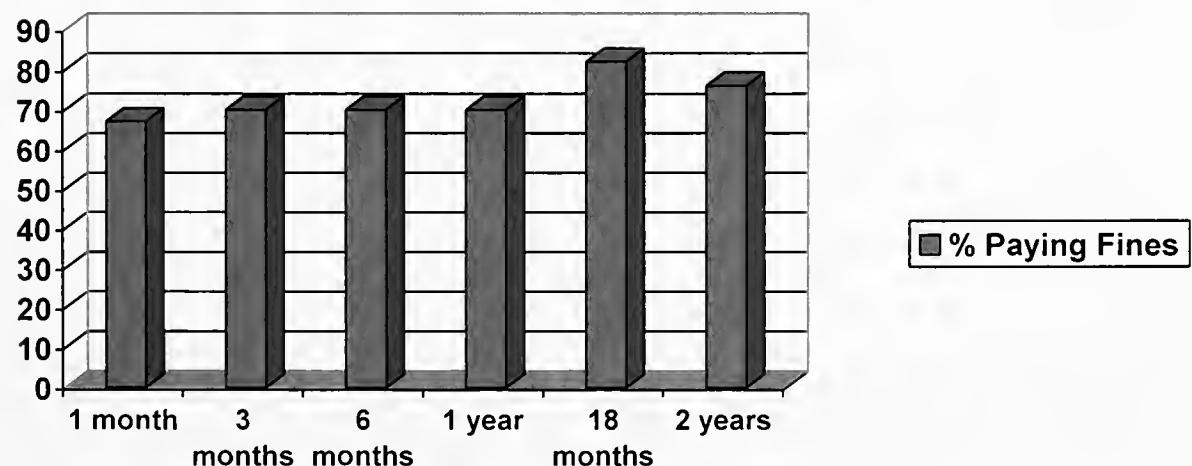
Compliance with Probation/Parole



Employment



Fines & Resitution



ADMISSIONS BY COUNTY:

COUNTY	TOTAL	COUNTY	TOTAL
Beaverhead	7	McCone	0
Big Horn	5	Meagher	1
Blaine	2	Mineral	5
Broadwater	4	Missoula	72
Carbon	2	Musselshell	2
Carter	0	Park	14
Cascade	55	Petroleum	0
Chouteau	0	Phillips	0
Custer	2	Ponnera	6
Daniels	0	Powder River	1
Dawson	11	Powell	12
Deer Lodge	19	Prairie	0
Fallon	0	Ravalli	34
Fergus	7	Richland	7
Flathead	39	Roosevelt	1
Gallatin	72	Rosebud	14
Garfield	2	Sanders	5
Glacier	9	Sheridan	1
Golden Valley	1	Silver Bow	55
Granite	4	Stillwater	1
Hill	23	Sweet Grass	2
Jefferson	8	Teton	1
Judith Basin	2	Toole	3
Lake	38	Treasure	1
Lewis & Clark	75	Valley	2
Liberty	0	Wheatland	0
Lincoln	25	Wibeaux	0
Madison	2	Yellowstone	124



INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION

- 1. DEFINITION OF AN INTERSTATE COMPACT:** An Interstate Compact is an agreement entered into by two or more states to provide supervision to offenders who cross state lines to reside and work. There are an estimated 250,000 offenders transferring between states. Montana has over 900 adult offenders residing out of state and 390 offenders residing in Montana from other states.
- 2. PRIMARY PURPOSE OF THE COMPACT:** The primary purpose is to enhance public safety and to provide a mechanism that allows a continuum of supervision of offenders who cross state boundaries. Often an offender is not a resident of Montana or other sentencing states. Individuals travel outside of their resident state, commit a crime and are sentenced, but have no reason to remain in the state. They have considerable amounts of restitution, fines and other fees owed to the sentencing courts. Offenders who can continue their employment and pay their financial obligations help Montana's economy. This compact protects the rights of the victims through the control and regulation of movement of offenders. The compact provides for better tracking of offenders and enforcement of policies and rules. Each state has a state council of representatives from victims groups, legislative, executive and judicial branches along with law enforcement and the compact administrator that helps oversee compliance of that state with the compact.
- 3. ADMINISTERS OF THE COMPACT:** Administrators and their deputies are appointed by the Governor of each state to initiate operational policies, practices and procedures on how adult offenders will be supervised. The Compact Administrator or designee must attend annual meetings to promulgate rules, regulations and policies for the administration of the Interstate Commission agreement.

The Montana Legislature approved the new compact, Senate Bill 40 or MCA 46-23-1115, which allows Montana to be part of the National Commission. Every state that passed the new legislation has made a commitment to comply with the National Commission and to be prepared financially to help budget for the cost of administrative staff that will oversee the daily operations of the Commission at a national level. The National Commission will levy an annual assessment on each compacting state to cover the cost of internal operations and activities of the commission and its staff. The cost is based upon a formula contained in the commission rule and taking into consideration the population of each state and the volume of interstate movement of offenders in each state. Montana's cost is \$18,000.00 per year.

The Montana Interstate Unit established a \$50.00 application fee that is paid by the offender who is applying to transfer supervision out of our state. These collected fees are used to pay the \$18,000 yearly due to the Interstate Commission. The unit began collecting this fee in July 04. During that fiscal year, over \$22,000.00 was collected. Collecting a fee made the offender's accountable for

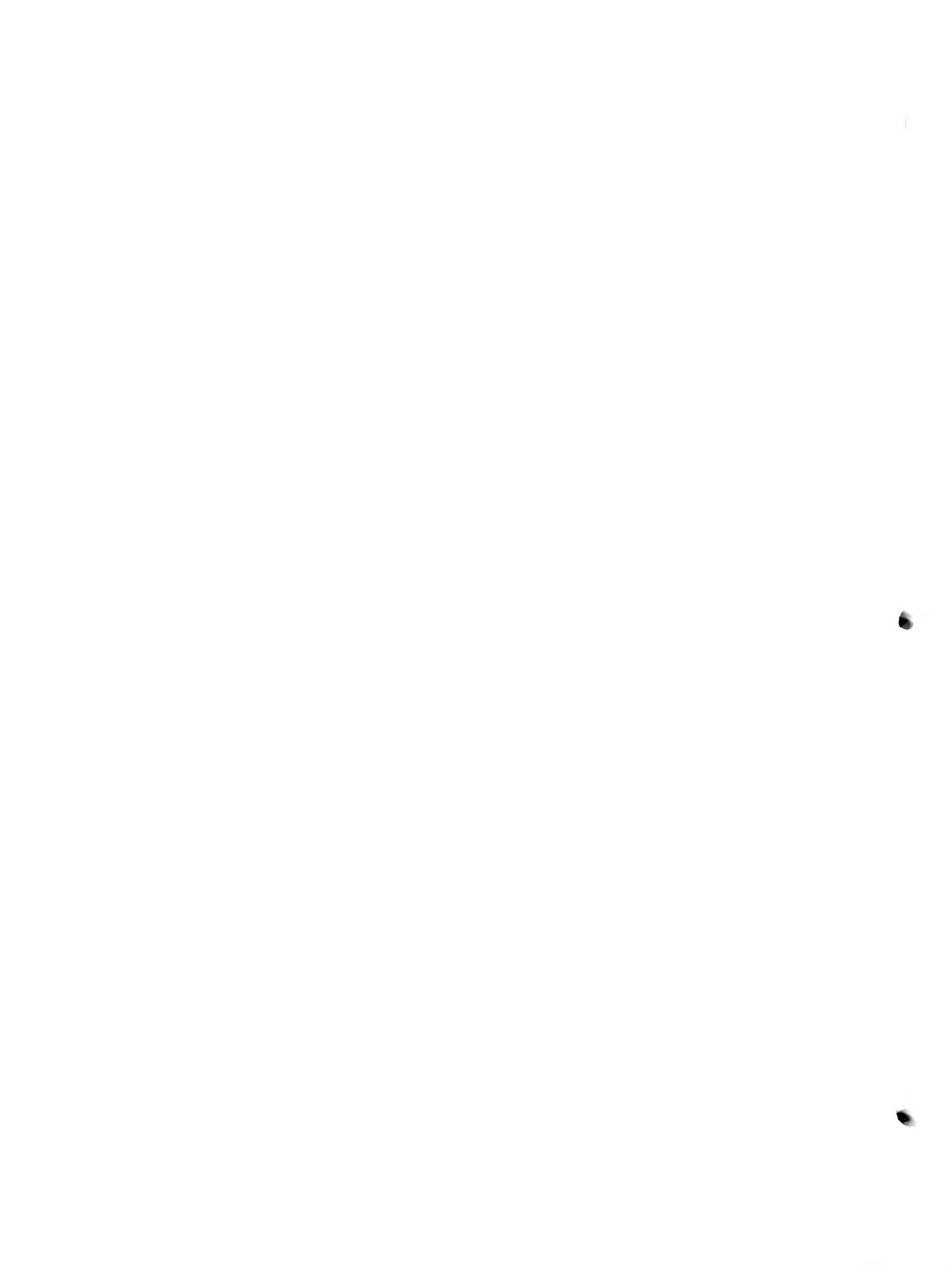


having a valid plan established to transfer their supervision out-of-state and for having responsibility in their own rehabilitation. Other costs of the program are absorbed by the Department of Corrections.

4. THE FUNCTIONS OF THE COMPACT UNIT: The Compact Unit of each state will arrange for transfer of any person convicted of an offense and placed on supervision who requests to cross state boundaries to live, work or to attend school. The Compact Unit will monitor the supervision of adult offenders through correspondence and telephone communications. The Compact Unit will initiate documents on offenders in order to ensure that the receiving state has information to complete home and employment investigations. The Compact Unit agrees to provide supervision, if the offenders meet the criteria for acceptance. No state shall refuse to supervise an offender because of the crime they committed. The offender shall be supervised with the same intensity of supervision, as they would receive if they were sentenced in the receiving state.

Progress reports will be submitted. Officers will monitor court ordered conditions, conduct searches of the offenders property, complete random urinalysis, prepare Reports of Violation for Courts, Parole Boards and the Department of Corrections, conduct on-site preliminary hearings, arrest, detain and assist in the return of offenders to the sentencing states. The Compact Unit also agrees to do special investigation requests for pardon investigations, gather information for pre-sentence reports, approve travel for offenders, assist and coordinate the apprehension of probation and parole violators. These important functions need to be handled by a central authority in each state that is responsible for accurate record keeping and accountability for the management and supervision of Interstate caseloads. Each state must adhere to the same policies and procedures to transfer their offenders in order to insure public safety.

5. THE BENEFITS OF THE COMPACT: Communities and victims in Montana benefit when the Interstate Unit continues to remain actively involved in updating operational procedures and enforcing policies and procedures to make the Compact work. Conditions of supervision will be enforced and victims are more likely to receive compensation if the offender is working in the community. The offenders also benefit from the Compact because they are allowed to return or relocate where they have families, emotional or financial support, employment or schooling. Many more Montana offenders relocate to other states than those offenders that move into Montana. In 2004, 584 Montana offenders applied to transfer out-of-state; the majority of them returned to their resident state. Only 313 out-of-state offenders applied to transfer to Montana; again the majority of them are Montanan's returning home. There are offenders that leave Montana because there are fewer employment opportunities. It is imperative that no short cuts are taken to supervise these individuals. Any offender who requests to leave the sentencing state will be expected to comply with the receiving states supervision policies and may be arrested and returned to the sentencing state if they violate conditions of supervision or commit new crimes. Failure to deal appropriately with violations often makes it difficult for the receiving state to maintain supervision and control of the offender. Fiscal restraints are not a sufficient reason for refusing to return violators under the Compact Agreement.



6. HOW THE MONTANA INTERSTATE UNIT FUNCTIONS: There are approximately 1600 cases managed by the Interstate Unit. The caseload continues to climb as lengthy probation sentences are imposed as an alternative to incarceration. The Compact Unit is very aware that the number of offenders moving in and out of Montana has consistently increased with more emphasis and attention being given to high risk or dangerous offenders. These concerns are instilled into supervising officers and they are encouraged to cooperate with and follow all of the correct procedures when transferring offenders across state boundaries.

A Deputy Compact Administrator and four administrative support staff perform the daily operations of the Interstate Unit. The Unit monitors compact rules and regulations as they pertain to the supervision of Interstate offenders. The Unit's knowledge about the supervision of interstate offenders provides the Montana probation and parole officer's technical expertise, leadership, interpretation of laws and the consequences for potential liability issues concerning Interstate Compact matters. The Unit is a clearinghouse for all incoming correspondence and telephone communications and works closely with 23 Montana adult district probation and parole offices, 6 regional prisons and their institutional probation and parole officers and 65 separate adult Interstate Units throughout the United States. Approximately 1200 of the mentioned cases are Montana offenders residing in other states. Nearly 400 adult offenders, sentenced from other states, are residing and receiving supervision in Montana. The Unit also coordinates the return of Montana parole and conditional release violators through warrants or a Governor's Extradition Warrant. It assists when adult parole absconders are arrested in other states by coordinating or processing legal documents to arresting agencies to detain offenders. In addition, the Unit has the primary responsibility of entering legal data on all adult offenders moving into Montana as well as completing quality control checks on the data the probation and parole officers enter on the Interstate offenders.

The Interstate Unit is a critical component of the Community Corrections Bureau and is very beneficial to other law enforcement agencies as well as all district probation and parole offices throughout the United States. All adult offenders sentenced in Montana as well as those being supervised from other states under the Interstate Compact are monitored through the Adult Corrections Information System.

7. USE OF THE INTERSTATE COMPACT - A POSITIVE ALTERNATIVE TO INCARCERATION: Courts are considering alternatives to incarceration, however the lengths of sentences are not necessarily getting shorter. Parole Boards and Judges are looking for ways to release individuals back into the community quickly because of overcrowded prisons. Many offenders ask to relocate to other states because they are not always residents of the state they are convicted in. Their families, resources and jobs are in other states. Oftentimes the more violent offender or untreated offender is being released into the community. Supervision of all offenders crossing state lines is critical and can only be successful based on the fact that the offender is provided the same degree and intensity of supervision in the receiving state as they would receive in their home state. Per Compact policy, a receiving state is not expected to do more or less for an out-of-state case than it does for its own cases. The offenders are encouraged to pay off restitution and to complete treatment requirements. Measures are taken if the offenders fail to comply.

Many offenders successfully complete their sentences while provided supervision in Montana. Those that re-offend or violate conditions of their sentences are often returned to the receiving state or are sentenced to jail or prison. Many Montana offenders residing in other states also successfully complete their sentences. Though there is no perfect solution to preventing crime, if policies and procedures are enforced to provide supervision and hold offenders accountable, many of them will successfully complete their sentences.

8. HOW THE MONTANA INTERSTATE COMPACT UNIT IS AFFECTED BY AN INCREASE OF OFFENDER CASELOADS: Interstate caseloads throughout the United States increase as offenders are released into communities. Montana is no exception. Many offenders have no ties to the states they are sentenced in and ask to leave the sentencing state. Of real concern are the Compact officials who have been held accountable when offenders travel across state boundary lines and are not provided supervision. Victims are suing. As caseloads increase, so does the work. Where there is no additional staff to help with the increase in numbers, Interstate Units across the United States are being forced to change their day-to-day work priorities in order to meet demands. If there is a shortage of staff to do the work, communication, paperwork and cooperation become selective!

